



Posted: Friday, August 10, 2021

NOTICE AND CALL OF A REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold a regular meeting on
TUESDAY, AUGUST 10, 2021, at 6:00 PM

THIS MEETING WILL BE HELD VIA ZOOM VIDEOCONFERENCE
CLOSED SESSION BEGINS AT 5:15PM

In accordance with Executive Order N-29-20 this meeting will be held via videoconference, and will be hosted on the **Zoom**.
Learn more about Zoom here: <https://zoom.us>

PUBLIC COMMENT: Public comment may be submitted via email in advance of the meeting, or in an orderly process during the meeting. If you do not have access to email and you would like to provide a written statement, please deliver your comment to 409 Trinity Street, Trinidad CA, by 2:00pm on the meeting day.

Email public comments to cityclerk@trinidad.ca.gov Your comments will be included in the public record for the meeting, and will be accepted at any time during the meeting.

HOW TO PARTICIPATE: The City will publish a direct link to the conference, along with the participant code, on the City Calendar page online at <http://trinidad.ca.gov/calendar>

To phone in, dial 1-888-278-0296, Conference Code: 685171 Meeting ID: 851 8793 0201 Passcode: 654322

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **CLOSED SESSION AGENDA PUBLIC COMMENT**

At this time, members of the public may only comment on an item appearing on the agenda. Please adhere to the following when addressing the Council: 1) Individual comments will be limited to 3 minutes or less, 2) Comments should be directed to the Council as a whole and not directed to individual Council Members

IV. **ADJOURN TO CLOSED SESSION**

- 1. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9: City of Trinidad v. Trinidad Bay Bed & Breakfast/Mike Morgan (Humboldt Co. Superior Court Case No. CV2100112)
- 2. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9): City of Trinidad vs. Mike Morgan (Humboldt Co. Superior Court Case No. CV2100066)
- 3. Conference with Legal Counsel – Existing Litigation (Calif. Gov. Code Section 54956.9(d)(1)) (1 Case: City of Trinidad vs. Tsurai Ancestral Society, et. al, Humb. Co. Sup. Court Case No. 180684)

V. **RECONVENE TO OPEN SESSION**

VI. **APPROVAL OF AGENDA**

VII. **APPROVAL OF MINUTES – 06-21-21 scc, 07-13-2021 cc**

VIII. **COUNCIL REPORTS/COMMITTEE ASSIGNMENTS**

IX. **STAFF REPORTS – City Manager & Law Enforcement**

X. **ITEMS FROM THE FLOOR**

At this time, members of the public may comment on items NOT appearing on the agenda. Individual comments will be limited to 3 minutes or less. Comments should be directed to the Council as a whole and not to individual Council Members or staff. Council and staff responses will be minimal for non-agenda items.

XI. CONSENT AGENDA

All matters on the Consent Agenda are considered routine by the City Council and are enacted in one motion. There is no separate discussion of any of these items. If discussion is requested by any Council member, that item is removed from the Consent Calendar and considered separately. A single opportunity for public comment on the Consent Agenda is available to the public.

1. Staff Activity Report – July 2021
2. Financial Statements – June 2021
3. Law Enforcement Report – July 2021
4. Second Reading of Ordinance 2021-03; Water Shortage Ordinance and Water Shortage Contingency Plan Update.
5. Permission Letter and Agreement between the City of Trinidad and the Trinidad Rancheria for the Trinidad Harbor ASBS Stormwater Runoff Management and Green Infrastructure Enhancement Project.

XII. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding revised Government-to-Government Consultation Policy with Native American Tribes.
2. Discussion/Presentation regarding Water Advisory Committee Reports.
3. Discussion/Action Item regarding Water Advisory Committee recommendation to Request Humboldt Bay Municipal Water Consideration of City of Trinidad in Waterline Extension Project/Analysis.
4. Discussion/Decision regarding Resolution 2021-09; Approving Financial Assistance Application from DWSRF for Water System Planning
5. Discussion/Decision regarding Trinidad Head Trail Sign recommendation from the Trails Committee.
6. Discussion/Decision regarding Trails Committee recommendations regarding signage replacement and Axel Lindgren Memorial Trail Improvements.

XIII. FUTURE AGENDA ITEMS

XIV. ADJOURNMENT

APPROVAL OF MINUTES FOR:

JUNE 21, 2021 SCC

JULY 13, 2021 CC

Supporting Documentation follows with:

6 PAGES

MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD CITY COUNCIL
TUESDAY, JUNE 21, 2021 (ZOOM)

I. CALL TO ORDER

Mayor Ladwig called the Zoom virtual meeting to order at 6:00pm. Council members in attendance: Ladwig, West, Clompus, Grover, Davies. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams. Approximately (8) attendees were present online at the beginning of the meeting.

II. PLEDGE OF ALLEGIANCE

III. ADJOURN TO CLOSED SESSION – NO CLOSED SESSION

IV. RECONVENE TO OPEN SESSION

V. APPROVAL OF THE AGENDA

Motion (Grover/West) to approve the agenda as written. Passed unanimously.

VI. APPROVAL OF MINUTES – No minutes to approve.

VII. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

There were no public items presented.

VIII. CONSENT AGENDA

1. Resolution 2021-07; Adopting a List of Projects for Fiscal Year 2021-22 Funded by SB1: The Road Repair and Accountability Act of 2017.

Motion (West/Grover) to approve the consent agenda. Passed unanimously.

X. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding Resolution 2021-06; Adopting the FY2022 City Budget

City Clerk Adams explained that at the regular meeting on June 11, staff presented a working draft of the 2022 Budget. The draft included revenue and expenditure budget worksheets for each of the fund categories;

General Fund:	Administrative, Public Works, Police, & Fire
Restricted Funds:	Water & Cemetery
Special Revenues:	Gas Tax, Transportation (TDA), & COPS

A recap of Fiscal Year ending June 30, 2020, along with projections for Fiscal Year ending June 30, 2021 were presented in summary formats for comparative purposes.

Following a year and a half of economic uncertainty, the City weathered the storm. A conservative approach to budgeting and spending, coupled with robust revenues from the baseline economy (locals shopping online) and significant contributions from visitors (sales and occupancy taxes) has increased the City's reserves.

Sales and Occupancy taxes are volatile revenue sources. They are strong when the economy is healthy, but easily disrupted by natural disasters such as wildfires or droughts, pandemics, or human-triggered disasters such as housing or market crashes. It is common for cities that are primarily funded by volatile revenue streams to maintain significant reserve funds. Since 2005 Trinidad City leaders have prioritized fiscal stability and responsibility, and the reserves established exemplify that commitment.

The reserves provide short-term insurance to backfill the budget and buy the City time to adapt to sudden changes. Examples of such changes would be any of the scenarios that will unfold in the near future;

- Verizon exit of the Cell Facility lease on Trinidad Head.
- Reduction of occupancy taxes due to a reduction or pause in STR licenses issued.
- Measure Z Funding is unavailable for additional law enforcement coverage
- Harbor Area converts to Federal Trust status.
- Cover increasing costs due to State of Federal mandates and regulations
- Emergency repairs to fragile infrastructure (coastal bluffs, roads, etc.)
- Temporary staffing increases to improve the quality of services provided to the community and balance the impacts that visitors have on the City.

Balanced Budget

The budget presented conservatively projects that if the City stays focused on the priorities highlighted in the summary, and the anticipated revenue streams are uninterrupted, revenues may modestly exceed expenditures by June 30, 2022. This is dependent upon several key factors:

- 1) Measure Z funding is received \$75,000 and/or HCSO is able to provide additional ½ time deputy.
- 2) Covid Relief Funding \$68,000 is as guaranteed as it seems to be.
- 3) Occupancy Tax revenues do not decline due to unissued, available licenses.

If the priorities are held and the City can optimize the outdated charges for service such as cemetery plot sales and occupancy tax rates, the City will have more latitude for discretionary spending. A quarterly or mid-year budget review process would be the appropriate time to address that.

2022 Goals & Priorities Summary:

1. Recognize current staff for enduring through the pandemic and adapting to the challenges.
2. Utilize reserves established from the prior two fiscal years to hire part-time employees to support existing staff and accomplish back-burner tasks.
3. Maintain current law enforcement coverage and general government services.
4. Educate and enforce new laws passed to discourage overnight parking, camping, etc.
5. Monitor, educate, and pivot with the challenges faced by the historic drought season ahead.
6. Provide support to the Water Advisory Committee charged with developing ideas and investigating solutions for a resilient drinking water source that will serve the needs of the community now and well into the future.
7. Update the Water Rate Structure to ensure the system is fiscally sound.
8. Invest in maintenance and upkeep of public buildings, parks, and property.
9. Support Community groups that provide services that enrich the community for locals and visitors, as they emerge from pandemic hibernation.
10. Continue to promote an inclusive dialog with Tribal Governments and finalizing the Government to Government policy to encourage consultation on important topics of mutual concern.
11. Oversee and recover from Stormwater Phase II construction project that will hopefully conclude a nearly 15-year effort to respond to a State mandate prohibiting polluted storm water to run off into Trinidad Bay.
12. Continue several new and ongoing grant programs that enable the City to meet obligations to satisfy several elements of the General Plan update.

Council questions included:

Davies: I would like to see the Occupancy Tax increased to 12%, and unspent trails maintenance money carried over into the next year.

Public comment included:

Paula Levine – Trinidad Area

Equalize water rates between in-city and outside-city customers.

*Motion (Grover/West) to amend the budget with 2 items recommended by Councilmember Davies, and approve Resolution 2021-06 adopting the FY2021-2022 Budget. **Passed unanimously.***

FUTURE AGENDA ITEMS

- Occupancy Tax Increase
- Government to Government Meeting Policy
- Water Rate Analysis

ADJOURNMENT: 6:50pm.

Submitted by:

Gabriel Adams
Trinidad City Clerk

Approved by:

Steve Ladwig
Mayor

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
TUESDAY, JULY 13, 2021 (ZOOM)

I. CALL TO ORDER

Mayor Ladwig called the Zoom virtual meeting to order at 6:00pm. Council members in attendance: Ladwig, West, Clompus, Grover, Davies. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams. Approximately (13) attendees were present online at the beginning of the meeting.

II. PLEDGE OF ALLEGIANCE

III. ADJOURN TO CLOSED SESSION – *No closed session.*

IV. RECONVENE TO OPEN SESSION

V. APPROVAL OF THE AGENDA

Motion (Grover/West) to approve the agenda as submitted. Passed unanimously.

VI. APPROVAL OF MINUTES – 05-11-2021 cc, 06-08-2021 cc

Motion (West/Grover) to approve the 05-11-2021 minutes as written. Passed unanimously.

Motion (West/Grover) to approve the 06-08-2021 minutes as written. Passed unanimously.

VII. COUNCIL REPORTS/COMMITTEE ASSIGNMENTS

Davies: No report.

Clompus: Provided a written report included in the packet that highlight his committee discussions, actions, and progress. Update on the CCNM Gateway Committee, Water Committee, Luffenholtz Creek flow and CA drought status (deferred to discussion agenda item 2). Also announced the Trinidad Bay Art and Music Festival will take place in the Town Hall in August.

Grover: Attended RCEA meeting and Offshore Wind Subcommittee meeting.

Ladwig: HTA utilizing covid relief funding to provide safe transportation.

VIII. STAFF REPORTS – *City Manager & Law Enforcement*

City Manager Naffah summarized and highlighted various accomplishments from June that were outlined in the meeting packet. Announced that Verizon's Westhaven cell site should be complete in November, and decommissioning of the Trinidad Head site may not be complete until early 2022.

Davies requested an update on the Van Wycke trail closure appeal.

HCSO Lt. Miller provided summary of June service call statistics, and introduced Measure Z Deputy Julian Aguilera.

IX. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

There were no items from the floor presented.

X. CONSENT AGENDA

1. Staff Activity Report – June 2021
2. Financial Statements – May 2021
3. Law Enforcement Report – June 2021
4. City Manager Contract Renewal

Motion (Grover/West) to approve the consent agenda as submitted. Passed unanimously.

X. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding First Reading of Ordinance 2021-03; Water Shortage Ordinance.
City Planner Trevor Parker explained that this ordinance was developed to implement the Water Shortage Contingency Plan (WSCP) that was adopted by the Council in February of this year. This ordinance would replace the existing water rationing ordinance that makes up Chapter 13.08 of the Municipal Code. It also includes a revision to §13.04.440 of the City's water service ordinance to add specific, permanent water waste prohibitions. These could be permanently enacted as proposed, or just during a drought (e.g. Stage 1+). Much of

the ordinance framework and language was taken from the City of Santa Cruz (Chapter 16.01 of their Municipal Code), because much of the WSCP also came from Santa Cruz's Plan.

The following are specific comments/questions to consider by section:

§ 13.04.440.E: The State has also been considering enacting regulations to prohibit waste, and the most recent version (though it seems to be on hold) includes a total prohibition of washing exterior (ground) surfaces, except for sanitary reasons. Another option, besides just requiring a shut-off nozzle as currently proposed, it could require using a high-efficiency power washer using not more than a specified gallons per minute.

§ 13.08.080.A: As mentioned above, the WSCP authorizes the City Council to make each water shortage stage declaration. That isn't an issue for Stage 1, but beyond that, it may take too much time to document conditions leading to a subsequent stage, convening and meeting, and publishing in a newspaper. Therefore the City Manager is responsible for declaring subsequent stages. If the City Council agrees, the WSCP should be updated to reflect that.

§ 13.08.080-120.B: The water use restrictions that ended up in the WSCP are a bit sparse. This may have been due to how it was originally presented to the Planning Commission. Staff provided a variety of sources and options rather than a list of suggestions. We never really got into a detailed discussion about the restrictions and which to include in the WSCP, so not many ended up in it, and the ones that are, tend to be general. For the ordinance, I followed the City of Santa Cruz's restrictions pretty closely, and there are more in the ordinance than in the WSCP. This topic should be further discussed, and one or the other, or both, of the documents should be updated for consistency.

§ 13.08.090.B.8; 13.08.100.B.13-16; 13.08.110.B.11-14; 13.08.120.B.1 and 10-13: These all refer to the WSRT. Another option would be to make the City Manager ultimately responsible. The WSCP just refers to the "City" doing these actions without any detail.

Recall that at the June 8 meeting the City Council voted to change the make-up of the WSRT to consist of the City Manager, Public Works Director, Planning Commissioner, and a City Councilmember. So that will also need to be updated in the WSCP. The ordinance has been circulated to City staff for review (City Manager, City Engineer, Public Works Director) and has also been reviewed by the City Attorney.

There was no public comment.

Council was in agreement that the ordinance was well developed and ready for the first reading.

*Motion (Grover/West) to adopt the first reading of Ordinance 2021-03; waiving full reading and read by title only with changes recommended tonight amending section 13.04.440 and repealing chapter 13.08 (Water Rationing) and adding a new chapter (Water Shortage Regulations & Restrictions) to Title 13 of the Trinidad Municipal Code. **Passed unanimously.***

2. Discussion/Update regarding California Drought Conditions.

Councilmember Clompus presented information included in the packet regarding the current California drought status. He explained that the current ad-hoc water shortage committee will be replaced by the Water Shortage Response Team as soon as the new ordinance is implemented. On May 11 Governor Newsome declared a Statewide drought emergency, requesting all Californians reduce water consumption by 15%.

We are currently in a Stage 1 drought. It is the responsibility of the Council to communicate this to water customers, requesting voluntary conservation. The Trinidad Water Advisory Committee met for their first meeting on June 14. Each member has been tasked with various assignments to investigate leaks, water trucking, storage, Mill Creek water rights, water source and grant options. The reports will be presented at the next advisory committee meeting on July 14, then sent to the Council for review in August.

Public comment included:

Paula Levine – Trinidad Area/Water Customer

Read from a statement submitted for the public record. Strongly encouraged the City to consider participating in the Humboldt Bay Municipal Water connection feasibility study. Provided supporting statements from HBMWD Director John Friedenbach, and observations made while participating in the Water Advisory Committee meeting.

Shirley Laos – Trinidad Rancheria

The City voted to not participate in the HBMWD connection feasibility study. It is prudent of the City to plan for their future, and it would be wise of the Council to reconsider the proposal. It is ironic to see the Water Advisory Committee considering trucking water in an emergency. Many residents were upset to hear the Rancheria was considering that option to supplement the proposed hotel water supply and reduce the impact on the City's water system. We support the City in being progressive, taking the hysteria out of the discussion, and base their responsible approach on facts, not fear.

Sheri Provolt – Yurok Tribal Councilmember

The Council should investigate short, mid, and long-term solutions for their water system.

Council comments included:

Ladwig: We look forward to hearing the recommendations from the Water Advisory Committee in August.

3. Discussion/Presentation regarding Stormwater Project Outreach and Update

City Engineer Dagan Short presented information regarding the upcoming final phase of the ASBS Stormwater Project Construction. He explained that construction is scheduled from July to October 15 to complete the final phase of the Stormwater Management Improvement Project. The purpose of this presentation is to reach out to the public, present information and answer questions about the project purpose, benefits and construction.

This was a presentation item only. There was no public or Council comment.

4. Discussion/Decision regarding Resolution 2021-08; Authorizing the City to Sign Funding Agreements for Cycle 10 Highway Safety Improvement Program Projects Funded By Caltrans.

City Manager Naffah explained that in November 2020, the City submitted three applications to Caltrans Highway Safety Improvement Program Cycle (HSIP) 10 for Set-Aside funding. The City Engineer worked with Public Works staff to identify and develop applications for these project components. In March 2021, Caltrans notified the City that all these applications have been selected for funding:

Project H10-01-005 Crosswalk Enhancement Set-Aside for \$250,000

Project H10-01-006 Guardrail Upgrades Set-Aside for \$416,000

Project H10-01-007 Edgeline Striping Set-Aside for \$132,800

The next step is to authorize the City Manager or Mayor to sign on behalf of the City to execute the Program Supplement Agreements (PSAs) for each project component. In order to initiate the Project, staff is recommending the Council authorize a contract with City Engineer GHD, Inc. to support all phases of the project. Project costs for services provided by GHD will be reimbursed by Caltrans. In accordance with Caltrans required consultant selection process, this scope of service is a "task order" under the existing Contract City Engineer agreement with GHD.

Council comments included:

Davies: Concerned edge-line striping throughout town, and urbanizing the community with road improvements such as flashing beacons. Hope we don't let Trinidad look like any cookie-cutter town.

Ladwig: We will have opportunities to discuss final designs in the future prior to construction.

There was no public comment.

*Motion (Grover/West) to adopt Resolution 2021-08 to authorize the City Manager and/or Mayor to execute HSIP funding documents, and authorize City Manager to execute a task order with GHD Inc. to complete the environmental, engineering, and construction management services for the City of Trinidad's Cycle 10 HSIP project. **Passed unanimously.***

FUTURE AGENDA ITEMS

- Government to Government Meeting Policy
- Occupancy Tax Rate Increase
- Water Advisory Committee Reports

- Water Shortage Ordinance, Second Reading

ADJOURNMENT: 8:00pm.

Submitted by:

Gabriel Adams
Trinidad City Clerk

Approved by:

Steve Ladwig
Mayor

DRAFT



COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS



Committee Reports for Council Member Richard Clompus, August 10, 2021

1. Indian Gaming Benefits Committee

- No meetings scheduled for this committee. Inactive since 2011 due to lack of state funds.

2. California Coastal National Monument Gateway Committee (CCNM)

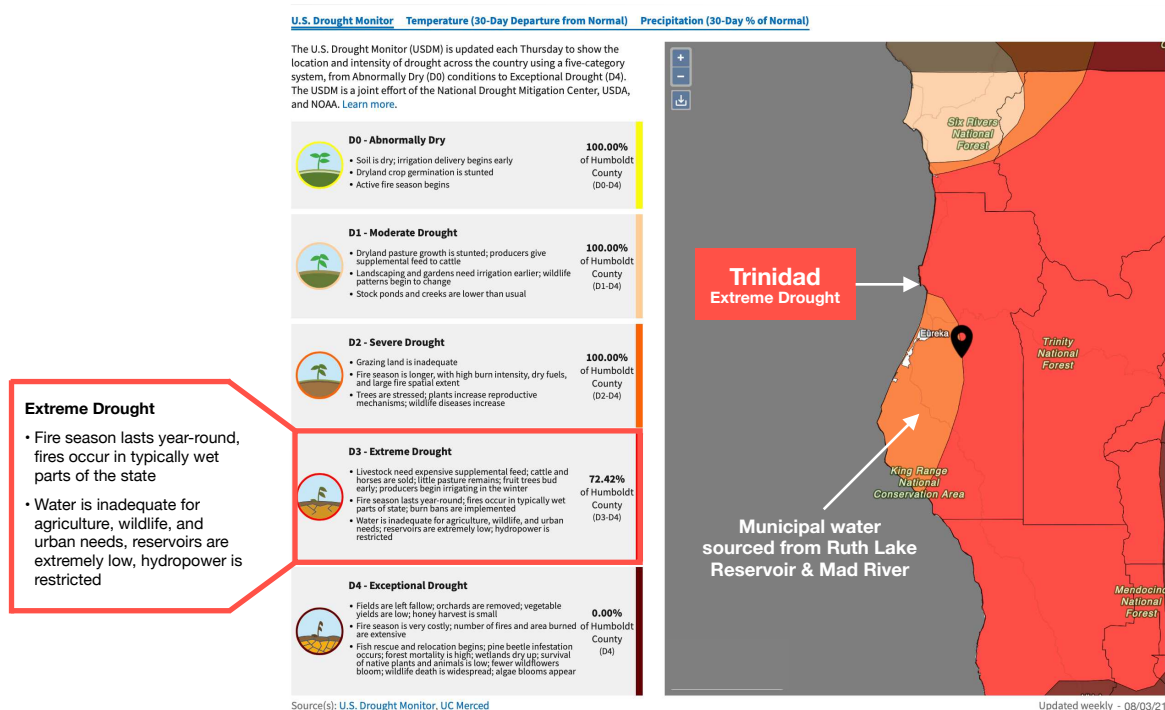
- Committee members met at the Trinidad Head Lighthouse on August 3rd to plan the 150th anniversary celebration of the lighthouse scheduled for 10am - 3pm on December 4th, 2021. The City will help support the security of the event (parking) along with Bureau of Land Management Rangers. August 7th was National Lighthouse Day!!

3. Humboldt County Visitors Bureau (HCVB)

- Visitredwoods.com website continues to support organizations that highlight the natural beauty and local offerings in Trinidad.
- Trinidad Bay Art & Music Festival (TBAMFest) is hosting a series of seven live classical music concerts in the Trinidad Town Hall on August 13, 14, 15, 20, 22, 22. **For the safety of festival attendees, performers and volunteers, proof of COVID vaccination (or a negative COVID test taken within 72 hours) will be required for entry. Bring your documentation or a photo of the documentation.** More information available at: www.tbamfest.com

4. Trinidad Ad Hoc Water Committee

- This committee was authorized under the City's current code (chapter 13.08) to deal with drought conditions. It consists of two council members, Richard Clompus & Jack West, supported by the Eli Naffah, City Manager. It will be replaced with the *Water Shortage Response Team* that will be formed when the Water Shortage Ordinance is adopted.
- Wildfires in California have scorched close to four times the number of acres destroyed at this time last year. In 2020, 4.2 million acres burned in California. **Last week: Routes 299 and 36 were closed due to uncontrolled wildfires, the Dixie fire destroyed most of the town of Greenville in northern California. In the 1930s, the City's two redwood water storage tanks were destroyed by wildfire. The chance of that happening today must not be ignored.**
 - Trinidad is experiencing **EXTREME DROUGHT** in Humboldt County. www.drought.gov
 - 134,623 residents in Humboldt County are impacted by drought
 - This year is the 30th driest year in the past 127 years of recorded data
 - ↓ 10.19 inches of rain this year from normal rainfall, down 97% since last month



Drought Indicators for Trinidad, CA

www.Drought.gov

Indicators are variables used to describe drought conditions (e.g., precipitation, temperature, streamflow, groundwater and reservoir levels, soil moisture, and snowpack). In order to get a complete picture of drought conditions, several drought indicators should be examined.

U.S. Drought Monitor

08/03/2021 - Updated Weekly

Extreme Drought

Precipitation (60 day)

08/02/2021 - Updated Weekly

Moderate Wet

Palmer Drought Severity Index

07/29/2021 - Updated Weekly

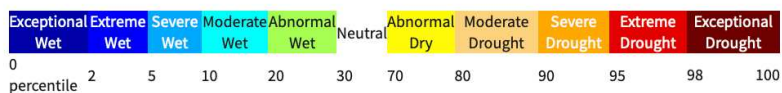
Severe Drought

Streamflow (Closest Ranked Gauge)

08/04/2021 - Updated Daily

Exceptional Drought

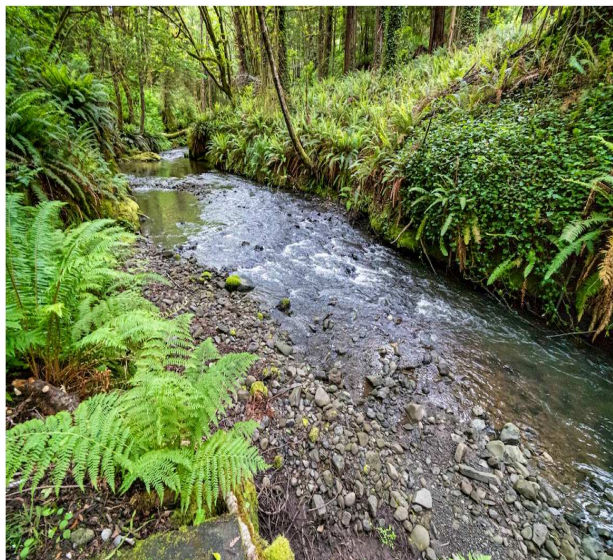
For maps and detailed analysis, visit the [Climate Toolbox Water Watcher](#)



[Learn more about these data](#)

Video: Luffenholtz Creek, August 2, 2021

May 21, 2020

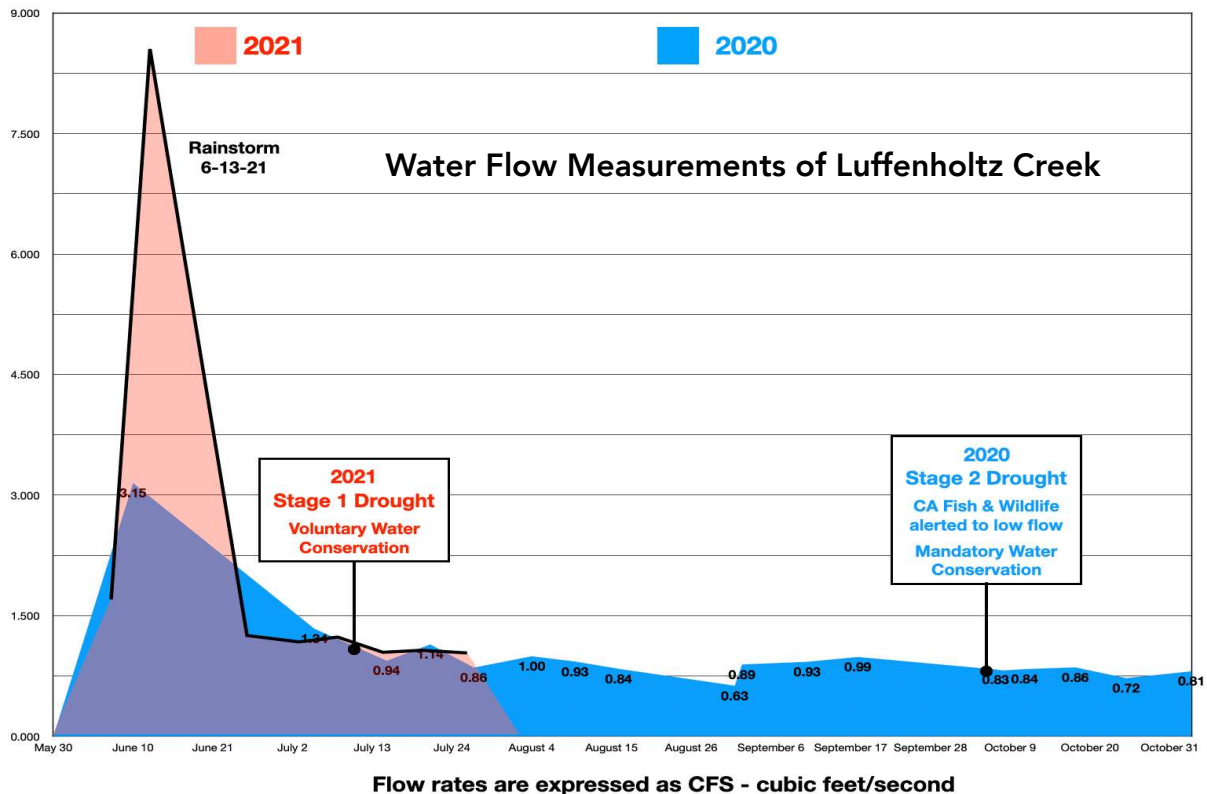


3 CFS Flow

July 20, 2021



1 CFS Flow
3 Ft Width



- **Watershed, Water Supply & Storage System Analysis, GHD, January 14, 2020**
 - There is **very limited data for prior years of Luffenholtz Creek flow** at the water treatment plant
 - Extracting water becomes increasingly more difficult with lower creek flows
 - Climate change over the coming decades is expected to change precipitation patterns which could further reduce creek flows during dry periods
- **During drought conditions, the water supply may be insufficient to meet existing water demand**
- **The universal truism is that by the time you react to a drought it's too late to react to a drought,"** said Jeffrey Mount, a senior fellow at the Public Policy Institute. **"The majority of things you have to do to mitigate impacts have to be done before the drought."**

- Trinidad began experiencing a **STAGE 1** drought in July according to the reference table in the Water Shortage Ordinance document. The following actions have been taken as described in the drought communication plan developed in 2020:
 1. July Press release issued to local media declaring water drought alert for Trinidad promoting voluntary water conservation for residential and commercial water customers
 2. The City website will be updated to provide additional water conservation measures to reduce water use
 3. Letter declaring drought mailed to Trinidad's water customers last week with color coded table indicating severity of drought with voluntary steps to conserve water usage
 4. Colored stickers were printed and placed on the back of outgoing monthly water bills highlighting drought and requesting voluntary reduction of 15% water use



- Water scarcity during drought and California's growing fire season is not a sustainable public policy.
- Using water scarcity as a way to control potential growth outside a city's jurisdiction may create serious unintended consequences for Trinidad's residents and businesses.

5. Trinidad Advisory Water Committee

- The committee's second meeting was held on July 14, 2021. The committee's objectives as described in City RESOLUTION 2021 - 02 as follows:
 - **PURPOSE:** The purpose of the Committee is 1) to evaluate water needs of the City, 2) analyze potential options of water sources and infrastructure, and 3) assist the Council in pursuing water-related opportunities including funding.
 - **OBJECTIVES:** Committee objectives include; 1) provide a public forum to address and discuss water concerns and solutions, 2) assist the City Manager and Public Works Department in addressing water-related issues, 3) make balanced and informed recommendations to the City Council on ways to improve the supply of water, and 4) report to the Council regularly.
- Members include: Richard Clompus, Chair (City Council Member), Dave Grover, Co-Chair (City Council Member), Cheryl Kelly (City Planning Commission Chair), Bryce Kenny (water customer), Dwight Miller (water customer).
- The committee voted to release the following data driven reports:
 - Fixing Leaks in Trinidad's Water Distribution System by Richard Clompus, Committee Chair
 - Increasing City Water Storage by Cheryl Kelly, Planning Commission Chair
 - Investigation into Sourcing Clean & Safe Water from Humboldt Bay Water District by Dwight Miller, Committee Member



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION ATTACHED

1. Staff Activity Report – July 2021



CONSENT AGENDA ITEM 2

SUPPORTING DOCUMENTATION ATTACHED

2. Financial Statements – June 2021

City of Trinidad
Statement of Revenues and Expenditures - GF Revenue
From 6/1/2021 Through 6/30/2021

		Current Month	Year to Date	Total Budget - Original	% of Budget
Revenue					
41010	PROPERTY TAX - SECURED	49,946.04	105,202.48	100,000.00	5.20%
41020	PROPERTY TAX - UNSECURED	325.23	4,307.35	3,800.00	13.35%
41040	PROPERTY TAX-PRIOR UNSECURED	0.00	43.99	25.00	75.96%
41050	PROPERTY TAX - CURRENT SUPPL	315.05	878.53	1,300.00	(32.42)%
41060	PROPERTY TAX-PRIOR SUPPL	96.41	346.34	200.00	73.17%
41070	PROPERTY TAX - FINES	309.43	440.39	500.00	(11.92)%
41110	PROPERTY TAX EXEMPTION	418.87	1,017.25	1,300.00	(21.75)%
41130	PUBLIC SAFETY 1/2 CENT	476.41	943.80	1,900.00	(50.33)%
41140	PROPERTY TAX - DOCUMENTARY RE	932.25	3,205.40	4,500.00	(28.77)%
41190	PROPERTY TAX ADMINISTRATION FE	(1,474.00)	(2,948.00)	0.00	0.00%
41200	LAFCO Charge	0.00	(703.34)	0.00	0.00%
41220	IN LIEU VLF	0.00	17,873.00	28,500.00	(37.29)%
42000	SALES & USE TAX	21,241.66	290,156.40	255,000.00	13.79%
43000	TRANSIENT LODGING TAX	0.00	92,037.96	140,000.00	(34.26)%
46000	GRANT INCOME	0.00	0.00	10,000.00	100.00)%
46700	Local Grants	0.00	2,159.38	0.00	0.00%
47310	VEHICLE LICENSE COLLECTION	0.00	269.21	300.00	(10.26)%
53010	COPY MACHINE FEE	0.00	46.40	50.00	(7.20)%
53020	INTEREST INCOME	17.51	11,465.12	25,300.00	(54.68)%
53090	OTHER MISCELLANEOUS INCOME	0.00	6,074.74	9,000.00	(32.50)%
54020	PLANNER- APPLICATION PROCESSIN	2,820.23	24,629.64	15,000.00	64.20%
54050	BLDG.INSP-APPLICATION PROCESSI	4,541.03	14,791.48	8,000.00	84.89%
54100	ANIMAL LICENSE FEES	15.00	407.50	300.00	35.83%
54150	BUSINESS LICENSE TAX	250.00	8,284.00	9,000.00	(7.96)%
54170	STR License Fee (Short Term Rental)	0.00	4,500.00	9,600.00	(53.13)%
54300	ENCROACHMENT PERMIT FEES	0.00	0.00	400.00	100.00)%
56400	RENT - VERIZON	4,500.00	65,542.07	19,500.00	236.11%
56500	RENT - HARBOR LEASE	0.00	0.00	5,125.00	100.00)%
56550	RENT - PG& E	0.00	0.00	9,000.00	100.00)%
56650	RENT - SUDDENLINK	0.00	18,007.84	6,500.00	177.04%
56700	RENT - TOWN HALL	0.00	430.00	2,500.00	(82.80)%
	Total Revenue	84,731.12	669,408.93	666,600.00	0.42%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
201 - GFAdmin
From 6/1/2021 Through 6/30/2021

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
60900	HONORARIUMS	250.00	3,000.00	3,000.00	0.00%
61000	EMPLOYEE GROSS WAGE	14,156.61	122,102.40	122,897.00	0.65%
61470	FRINGE BENEFITS	553.86	4,984.74	3,120.00	(59.77)%
65100	DEFERRED RETIREMENT	1,867.74	15,107.65	14,748.00	(2.44)%
65200	MEDICAL INSURANCE AND EXPENSE	1,838.26	21,451.24	22,154.00	3.17%
65250	Health Savings Program	16.63	237.06	1,050.00	77.42%
65300	WORKMEN'S COMP INSURANCE	0.00	4,257.02	4,085.00	(4.21)%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	253.51	2,053.01	750.00	(173.73)%
65600	PAYROLL TAX	1,314.58	10,669.29	10,530.00	(1.32)%
65800	Grant Payroll Allocation	(2,117.67)	(5,446.17)	(4,000.00)	(36.15)%
68090	CRIME BOND	0.00	537.55	550.00	2.26%
68200	INSURANCE - LIABILITY	0.00	13,442.75	13,600.00	1.16%
68300	PROPERTY & CASUALTY	0.00	6,437.60	6,250.00	(3.00)%
71110	ATTORNEY-ADMINISTRATIVE TASKS	6,461.00	71,996.55	5,000.00	(1,339.93)%
71310	CITY PLANNER-ADMIN. TASKS	5,729.00	71,783.68	98,000.00	26.75%
71410	BLDG INSPECTOR-ADMIN TASKS	1,448.50	20,141.37	15,000.00	(34.28)%
71430	BLDG INSPECTOR-ENFORCEMENT	0.00	1,792.08	0.00	0.00%
71510	ACCOUNTANT-ADMIN TASKS	1,082.32	17,306.38	17,000.00	(1.80)%
71620	AUDITOR-FINANCIAL REPORTS	0.00	15,867.29	16,000.00	0.83%
72000	CHAMBER OF COMMERCE	0.00	0.00	15,000.00	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	179.00	4,132.00	3,000.00	(37.73)%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	1,752.66	2,000.00	12.37%
75170	RENT	750.00	9,000.00	9,000.00	0.00%
75180	UTILITIES	793.80	11,549.65	12,000.00	3.75%
75190	DUES & MEMBERSHIP	0.00	506.00	1,000.00	49.40%
75200	MUNICIPAL/UPDATE EXPENSE	648.10	2,423.10	3,500.00	30.77%
75220	OFFICE SUPPLIES & EXPENSE	782.87	4,813.92	7,500.00	35.81%
75240	BANK CHARGES	0.00	0.00	100.00	100.00%
75280	TRAINING / EDUCATION	0.00	0.00	200.00	100.00%
75300	CONTRACTED SERVICES	0.00	500.00	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	0.00	1,019.50	500.00	(103.90)%
76110	TELEPHONE	791.54	6,757.91	4,000.00	(68.95)%
76130	CABLE & INTERNET SERVICE	233.90	2,355.00	3,000.00	21.50%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	428.36	0.00	0.00%
78170	SECURITY SYSTEM	438.18	1,122.18	500.00	(124.44)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	737.28	1,500.00	50.85%
	Total Expense	37,471.73	444,819.05	414,034.00	(7.44)%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
301 - Police
From 6/1/2021 Through 6/30/2021

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
61000	EMPLOYEE GROSS WAGE	672.96	5,879.39	5,832.00	(0.81)%
61470	FRINGE BENEFITS	0.00	0.00	240.00	100.00%
65100	DEFERRED RETIREMENT	95.40	734.25	700.00	(4.89)%
65200	MEDICAL INSURANCE AND EXPENSE	47.71	557.54	573.00	2.70%
65250	Health Savings Program	0.50	7.25	35.00	79.29%
65300	WORKMEN'S COMP INSURANCE	0.00	202.63	194.00	(4.45)%
65600	PAYROLL TAX	67.14	516.55	500.00	(3.31)%
75170	RENT	750.00	9,000.00	9,000.00	0.00%
75180	UTILITIES	158.54	2,592.90	1,800.00	(44.05)%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	500.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	10,000.00	100.00%
75350	ANIMAL CONTROL	131.00	1,627.50	1,600.00	(1.72)%
76110	TELEPHONE	102.87	102.87	600.00	82.86%
76130	CABLE & INTERNET SERVICE	0.00	331.80	0.00	0.00%
78170	SECURITY SYSTEM	0.00	306.00	600.00	49.00%
	Total Expense	<u>2,026.12</u>	<u>21,858.68</u>	<u>32,174.00</u>	<u>32.06%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
401 - Fire
From 6/1/2021 Through 6/30/2021

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
60900	HONORARIUMS	150.00	1,800.00	2,400.00	25.00%
75180	UTILITIES	66.73	784.13	1,150.00	31.81%
75190	DUES & MEMBERSHIP	0.00	729.34	350.00	(108.38)%
75280	TRAINING / EDUCATION	0.00	345.00	500.00	31.00%
76110	TELEPHONE	98.65	1,407.90	1,300.00	(8.30)%
76140	RADIO & DISPATCH	0.00	0.00	1,800.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	105.97	350.00	69.72%
78150	VEHICLE REPAIRS	456.55	1,528.80	2,500.00	38.85%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	2,589.84	1,500.00	(72.66)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	629.28	803.73	5,000.00	83.93%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	527.45	1,000.00	47.26%
	Total Expense	<u>1,401.21</u>	<u>10,622.16</u>	<u>17,850.00</u>	<u>40.49%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
501 - PW (Public Works)
From 6/1/2021 Through 6/30/2021

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
61000	EMPLOYEE GROSS WAGE	8,811.01	76,275.06	88,866.00	14.17%
61250	OVERTIME	0.00	0.00	500.00	100.00%
61470	FRINGE BENEFITS	0.00	0.00	720.00	100.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	100.00	100.00%
65100	DEFERRED RETIREMENT	895.53	9,076.16	10,664.00	14.89%
65200	MEDICAL INSURANCE AND EXPENSE	1,688.96	23,225.16	26,684.00	12.96%
65250	Health Savings Program	14.22	203.64	1,243.00	83.62%
65300	WORKMEN'S COMP INSURANCE	0.00	3,306.74	2,954.00	(11.94)%
65400	UNEMPLOYMENT COMPENSATION	0.00	251.95	0.00	0.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	0.00	34.14	0.00	0.00%
65600	PAYROLL TAX	641.43	6,372.46	7,614.00	16.31%
65800	Grant Payroll Allocation	(6,461.13)	(63,993.60)	(64,400.00)	0.63%
71210	CITY ENGINEER-ADMIN. TASKS	622.50	13,348.35	10,000.00	(33.48)%
71310	CITY PLANNER-ADMIN. TASKS	0.00	0.00	5,000.00	100.00%
75180	UTILITIES	0.00	0.00	250.00	100.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	0.00	3,000.00	100.00%
75220	OFFICE SUPPLIES & EXPENSE	0.00	(0.01)	0.00	0.00%
75300	CONTRACTED SERVICES	49,280.00	49,280.00	60,000.00	17.87%
75370	UNIFORMS/PERSONAL EQUIP.	0.00	81.92	1,000.00	91.81%
78100	STREET MAINT/REPAIR/SANITATION	0.00	211.71	5,000.00	95.77%
78120	STREET LIGHTING	332.03	3,862.36	5,000.00	22.75%
78130	TRAIL MAINTENANCE	37.66	561.82	10,000.00	94.38%
78140	VEHICLE FUEL & OIL	94.92	1,269.21	4,000.00	68.27%
78150	VEHICLE REPAIRS	0.00	110.00	2,500.00	95.60%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	7,118.08	14,000.00	49.16%
78190	MATERIALS, SUPPLIES & EQUIPMEN	299.42	3,238.48	5,000.00	35.23%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	203.43	2,500.00	91.86%
	Total Expense	56,256.55	134,037.06	202,195.00	33.71%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 6/1/2021 Through 6/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
56150	FRANCHISE FEES	745.30	8,918.72	10,000.00	(10.81)%
	Total Revenue	745.30	8,918.72	10,000.00	(10.81)%
	Expense				
61000	EMPLOYEE GROSS WAGE	505.64	4,121.74	8,103.00	49.13%
65100	DEFERRED RETIREMENT	60.68	479.45	972.00	50.67%
65200	MEDICAL INSURANCE AND EXPENSE	59.07	606.26	1,654.00	63.35%
65250	Health Savings Program	1.20	17.40	161.00	89.19%
65300	WORKMEN'S COMP INSURANCE	0.00	326.45	269.00	(21.36)%
65600	PAYROLL TAX	42.93	349.84	694.00	49.59%
75130	GARBAGE	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,800.00	100.00%
	Total Expense	669.52	5,901.14	14,153.00	58.30%
	Net Income	75.78	3,017.58	(4,153.00)	(172.66)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
212 - Budget Act - COVID
From 6/1/2021 Through 6/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	50,000.00	0.00	0.00%
	Total Revenue	0.00	50,000.00	0.00	0.00%
	Expense				
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	186.50	0.00	0.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	0.00	998.00	0.00	0.00%
75220	OFFICE SUPPLIES & EXPENSE	0.00	204.49	0.00	0.00%
78130	TRAIL MAINTENANCE	0.00	665.37	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	526.10	0.00	0.00%
	Total Expense	0.00	2,580.46	0.00	0.00%
	Net Income	0.00	47,419.54	0.00	0.00%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
213 - SB2 Planning Grant
From 6/1/2021 Through 6/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Expense				
65800	Grant Payroll Allocation	2,009.61	3,660.36	0.00	0.00%
74110	GRANT EXPENSE	146.30	146.30	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	12,599.47	0.00	0.00%
	Total Expense	2,155.91	16,406.13	0.00	0.00%
	Net Income	(2,155.91)	(16,406.13)	0.00	0.00%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
303 - COPS Program
From 6/1/2021 Through 6/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	1,839.10	155,221.89	155,000.00	0.14%
	Total Revenue	1,839.10	155,221.89	155,000.00	0.14%
	Expense				
75300	CONTRACTED SERVICES	0.00	212,633.60	155,000.00	(37.18)%
	Total Expense	0.00	212,633.60	155,000.00	(37.18)%
	Net Income	1,839.10	(57,411.71)	0.00	0.00%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
503 - State Gas Tax
From 6/1/2021 Through 6/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	0.00	15,000.00	(100.00)%
47005	RMRA (SB1)	0.00	1,175.19	0.00	0.00%
47030	GAS TAX REVENUE (2103)	368.33	2,448.52	0.00	0.00%
47050	GAS TAX REVENUE (2105)	320.38	1,869.73	0.00	0.00%
47060	GAS TAX REVENUE (2106)	1,015.38	6,076.72	0.00	0.00%
47070	GAS TAX REVENUE (2107)	447.40	2,530.08	0.00	0.00%
47075	GAS TAX REVENUE (2107.5)	0.00	1,000.00	0.00	0.00%
	Total Revenue	2,151.49	15,100.24	15,000.00	0.67%
	Expense				
60000	INTERDEPARTMENTAL TRANSFER EXP	0.00	0.00	40,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	54,013.48	0.00	0.00%
	Total Expense	0.00	54,013.48	40,000.00	(35.03)%
	Net Income	2,151.49	(38,913.24)	(25,000.00)	55.65%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
504 - TDA - Transportation Development Agency
From 6/1/2021 Through 6/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	0.00	12,500.00	(100.00)%
49990	OTHER GRANTS	0.00	41,918.00	0.00	0.00%
	Total Revenue	0.00	41,918.00	12,500.00	235.34%
	Expense				
60000	INTERDEPARTMENTAL TRANSFER EXP	0.00	0.00	12,000.00	100.00%
75250	TRANSIT SERVICES- HTA	0.00	5,029.49	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	12,000.00	0.00	0.00%
	Total Expense	0.00	17,029.49	12,000.00	(41.91)%
	Net Income	0.00	24,888.51	500.00	4,877.70%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
523 - STIP Downton Pedestrian Improvement
From 6/1/2021 Through 6/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	51,114.65	0.00	0.00%
	Total Revenue	0.00	51,114.65	0.00	0.00%
	Expense				
65800	Grant Payroll Allocation	2,143.89	19,146.49	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	91,373.74	0.00	0.00%
75330	CONSTRUCTION	258,889.72	376,982.79	0.00	0.00%
	Total Expense	261,033.61	487,503.02	0.00	0.00%
	Net Income	(261,033.61)	(436,388.37)	0.00	0.00%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
530 - DOT Local Road Safety Plan Grant
From 6/1/2021 Through 6/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	6,814.99	0.00	0.00%
	Total Revenue	0.00	6,814.99	0.00	0.00%
	Expense				
65800	Grant Payroll Allocation	162.09	3,571.40	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	16,267.75	0.00	0.00%
	Total Expense	162.09	19,839.15	0.00	0.00%
	Net Income	(162.09)	(13,024.16)	0.00	0.00%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 6/1/2021 Through 6/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	12,000.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	0.00	675.00	1,000.00	(32.50)%
57100	WATER SALES	31,364.83	332,694.65	315,000.00	5.62%
57200	Water Sales - Wholesale	0.00	5,477.00	8,000.00	(31.54)%
57300	NEW WATER HOOK UPS	0.00	50.00	0.00	0.00%
57500	WATER A/R PENALTIES	879.57	6,168.49	6,000.00	2.81%
	Total Revenue	32,244.40	345,065.14	342,000.00	0.90%
Expense					
61000	EMPLOYEE GROSS WAGE	12,316.91	103,710.07	113,588.00	8.70%
61470	FRINGE BENEFITS	0.00	0.00	720.00	100.00%
65100	DEFERRED RETIREMENT	1,470.32	12,627.79	13,631.00	7.36%
65200	MEDICAL INSURANCE AND EXPENSE	2,678.58	34,145.81	36,160.00	5.57%
65250	Health Savings Program	20.83	284.72	1,572.00	81.89%
65300	WORKMEN'S COMP INSURANCE	0.00	4,190.41	3,776.00	(10.97)%
65400	UNEMPLOYMENT COMPENSATION	0.00	1,493.71	0.00	0.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	0.00	193.56	0.00	0.00%
65600	PAYROLL TAX	1,062.81	8,911.87	9,732.00	8.43%
68090	CRIME BOND	0.00	289.45	300.00	3.52%
68200	INSURANCE - LIABILITY	0.00	7,229.25	7,325.00	1.31%
68300	PROPERTY & CASUALTY	0.00	3,466.40	3,350.00	(3.47)%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	500.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	11,989.25	2,500.00	(379.57)%
71230	ENGINEER-SPECIAL PROJECTS	51.50	11,391.50	45,000.00	74.69%
71310	CITY PLANNER-ADMIN. TASKS	2,090.00	11,588.25	10,000.00	(15.88)%
71510	ACCOUNTANT-ADMIN TASKS	582.78	8,818.22	9,000.00	2.02%
71620	AUDITOR-FINANCIAL REPORTS	0.00	7,320.25	7,000.00	(4.58)%
72100	BAD DEBTS	0.00	0.00	100.00	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	0.00	322.33	0.00	0.00%
75180	UTILITIES	1,283.76	13,932.06	14,000.00	0.49%
75190	DUES & MEMBERSHIP	0.00	645.13	700.00	7.84%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	205.36	200.00	(2.68)%
75220	OFFICE SUPPLIES & EXPENSE	108.00	3,621.55	5,000.00	27.57%
75240	BANK CHARGES	0.00	0.00	100.00	100.00%
75280	TRAINING / EDUCATION	0.00	0.00	750.00	100.00%
75300	CONTRACTED SERVICES	0.00	9,896.00	19,000.00	47.92%
75990	MISCELLANEOUS EXPENSE	0.00	588.00	0.00	0.00%
76110	TELEPHONE	276.33	2,361.47	1,800.00	(31.19)%
76130	CABLE & INTERNET SERVICE	61.95	743.40	750.00	0.88%
76160	LICENSES & FEES	0.00	6,083.10	3,600.00	(68.97)%
78140	VEHICLE FUEL & OIL	173.08	1,727.75	1,500.00	(15.18)%
78150	VEHICLE REPAIRS	2,025.52	2,688.82	2,500.00	(7.55)%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	3,007.45	4,250.00	29.24%
78170	SECURITY SYSTEM	0.00	309.00	500.00	38.20%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	4,957.50	5,000.00	0.85%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	13,126.40	1,500.00	(775.09)%
79100	WATER LAB FEES	465.00	5,783.43	6,000.00	3.61%
79120	WATER PLANT CHEMICALS	0.00	5,369.17	7,500.00	28.41%
79150	WATER LINE REPAIR	0.00	57,089.96	25,000.00	(128.36)%
79160	WATER PLANT REPAIR	0.00	7,202.14	3,000.00	(140.07)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 6/1/2021 Through 6/30/2021

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Total Expense	<u>24,667.37</u>	<u>367,310.53</u>	<u>366,904.00</u>	<u>(0.11)%</u>
Net Income	<u>7,577.03</u>	<u>(22,245.39)</u>	<u>(24,904.00)</u>	<u>(10.68)%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
701 - Cemetery
From 6/1/2021 Through 6/30/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
53020	INTEREST INCOME	0.00	0.00	250.00	(100.00)%
58100	CEMETERY PLOT SALES	2,360.00	21,274.17	12,000.00	77.28%
	Total Revenue	2,360.00	21,274.17	12,250.00	73.67%
	Expense				
61000	EMPLOYEE GROSS WAGE	761.66	6,350.03	8,272.00	23.23%
65100	DEFERRED RETIREMENT	91.39	758.15	993.00	23.65%
65200	MEDICAL INSURANCE AND EXPENSE	124.83	1,396.09	1,921.00	27.32%
65250	Health Savings Program	1.62	22.43	140.00	83.98%
65300	WORKMEN'S COMP INSURANCE	0.00	306.75	275.00	(11.55)%
65400	UNEMPLOYMENT COMPENSATION	0.00	53.99	0.00	0.00%
65600	PAYROLL TAX	64.71	549.24	709.00	22.53%
75180	UTILITIES	45.23	542.76	493.00	(10.09)%
75300	CONTRACTED SERVICES	0.00	0.00	2,000.00	100.00%
78170	SECURITY SYSTEM	0.00	426.00	450.00	5.33%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	500.00	100.00%
	Total Expense	1,089.44	10,405.44	15,753.00	33.95%
	Net Income	1,270.56	10,868.73	(3,503.00)	(410.27)%



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION ATTACHED

3. Law Enforcement Report – July 2021



HUMBOLDT COUNTY SHERIFF'S OFFICE

Page 1

Incident Search Results

City is trinidad or trin, Date Between 6/28/2021 and 7/4/2021

07/06/2021

Date	Inc #	Type	Time	Location	Dispositio
06/28/2021	2106280042	459V	08:41:09	N/A	Report Taken
06/29/2021	2106290164	DISP	18:12:21	530 MAIN ST	Cad Documentation Only
06/29/2021	2106290165	FRAUD	18:16:41	306 VIEW AVE	Public Assist
06/29/2021	2106290168	459V	19:01:16	N/A	Report Taken
06/29/2021	2106290179	ANIMAL	20:15:52	1053 8TH AVE	Scheduled Incident Created
06/30/2021	2106300022	PC	04:06:16	122 MOONSTONE BEACH RD	Cad Documentation Only
06/30/2021	2106300026	WELF	05:32:37	201 MAIN ST	Cad Documentation Only
06/30/2021	2106300051	ANIMAL	08:55:36	1053 8TH AVE	Warned
06/30/2021	2106300093	ASSISTP	11:41:43	1253 SCENIC DR	Cad Documentation Only
06/30/2021	2106300117	PROB	13:54:07	120 WA-RAY RD	Report Taken
06/30/2021	2106300197	415	20:06:38	27 SCENIC DR	Report Taken
07/01/2021	2107010020	VEHI	03:36:10	SCENIC DR	Cited
07/01/2021	2107010023	VEHI	04:04:34	SCENIC DR	Field Interview
07/01/2021	2107010024	VEHI	04:09:30	N/A	Field Interview
07/01/2021	2107010025	PC	04:16:16	122 MOONSTONE BEACH RD	Cad Documentation Only
07/01/2021	2107010049	UNW	08:42:43	300 TRINITY ST	Advised to Move Along
07/01/2021	2107010055	FU	09:03:35	300 TRINITY ST	Cad Documentation Only
07/01/2021	2107010095	PC	11:08:38	BG LAGOON	Cad Documentation Only
07/01/2021	2107010100	VEHI	11:28:31	LYNDA LN	Cad Documentation Only
07/01/2021	2107010108	PC	11:50:15	(UNKNOWN ADDRESS) SCENIC DR	Cad Documentation Only
07/01/2021	2107010110	PED	11:54:03	SCENIC DR	Cad Documentation Only
07/01/2021	2107010131	594	12:55:33	300 TRINITY ST	Arrest Made
07/01/2021	2107010174	ANIMAL	16:12:50	SCENIC DR	Cad Documentation Only
07/01/2021	2107010212	ADMIN	19:48:11	597 OLD WAGON RD	Cad Documentation Only
07/01/2021	2107010242	FWKS	22:10:24	339 OCEAN AVE	Quiet on Arrival or Departur
07/01/2021	2107010254	DISP	23:41:47	597 OLD WAGON RD	Cad Documentation Only
07/02/2021	2107020006	415	00:36:26	597 OLD WAGON RD	Cad Documentation Only
07/02/2021	2107020139	DISP	17:01:14	597 OLD WAGON RD	Cad Documentation Only
07/02/2021	2107020147	459V	17:36:07	N/A	Report Taken
07/02/2021	2107020155	417	18:14:28	597 OLD WAGON RD	Cad Documentation Only
07/02/2021	2107020178	FWKS	21:38:36	122 MOONSTONE BEACH RD	No Report
07/02/2021	2107020180	FWKS	21:54:26	339 OCEAN AVE	Cad Documentation Only
07/03/2021	2107030012	SUSPP	01:20:46	201 MAIN ST	Cad Documentation Only
07/03/2021	2107030093	XFER	13:22:49	SCENIC DR	Xfer to Fire
07/03/2021	2107030125	911M	15:41:18	1211 SCENIC DR	Accidental Dial
07/03/2021	2107030192	XFER	21:43:49	821 SCENIC DR	Xfer to Fire
07/03/2021	2107030195	FWKS	21:56:00	1880 PATRICKS POINT DR	Quiet on Arrival or Departur
07/04/2021	2107040042	RECK	10:31:57	MAIN ST	Unable to Locate
07/04/2021	2107040054	ANIMAL	11:31:48	1053 8TH AVE	Scheduled Incident Created
07/04/2021	2107040075	911C	13:54:36	887 EDWARDS ST	Unable to Locate
07/04/2021	2107040101	911M	16:31:52	306 VIEW AVE	Accidental Dial
07/04/2021	2107040102	FWKS	16:35:18	341 OCEAN AVE	Cited
07/04/2021	2107040128	FWKS	18:38:25	1880 PATRICKS POINT DR	Cad Documentation Only
07/04/2021	2107040164	FWKS	21:08:11	1880 PATRICKS POINT DR	Quiet on Arrival or Departur



HUMBOLDT COUNTY SHERIFF'S OFFICE

Page 2

Incident Search Results

City is trinidad or trin, Date Between 6/28/2021 and 7/4/2021

07/06/2021

Date	Inc #	Type	Time	Location	Dispositio
07/04/2021	2107040166	WELF	21:10:49	1948 PATRICKS POINT DR	Cad Documentation Only
07/04/2021	2107040179	FWKS	21:27:42	306 VIEW AVE	Quiet on Arrival or Departur
07/04/2021	2107040187	FWKS	21:40:59	122 MOONSTONE BEACH RD	No Report
07/04/2021	2107040189	FWKS	21:42:49	122 MOONSTONE BEACH RD	Cad Documentation Only
07/04/2021	2107040191	FWKS	21:42:57	1880 PATRICKS POINT DR	Cad Documentation Only
07/04/2021	2107040216	FWKS	22:28:43	675 8TH AVE	Unable to Locate
07/04/2021	2107040218	MP	22:38:57	753 PATRICKS POINT DR	Cad Documentation Only



HUMBOLDT COUNTY SHERIFF'S OFFICE

Page 1

Incident Search Results

City is trinidad or trin, Date Between 7/5/2021 and 7/11/2021

07/13/2021

Date	Inc #	Type	Time	Location	Dispositio
07/05/2021	2107050054	PED	10:11:48	785 PATRICKS POINT DR	Public Assist
07/05/2021	2107050087	WELF	14:26:22	201 MAIN ST	Unable to Locate
07/05/2021	2107050091	WELF	14:53:18	SCENIC DR	Advised to Move Along
07/05/2021	2107050101	911C	16:27:50	VIEW AVE/PARKER CREEK DR	Public Assist
07/05/2021	2107050125	TPAT	18:54:58	(UNKNOWN ADDRESS)	No Report
07/06/2021	2107060048	CAMP	08:53:34	560 EDWARDS ST	Unable to Locate
07/06/2021	2107060093	PARK	12:42:38	560 EDWARDS ST	Public Assist
07/06/2021	2107060182	BOLO	18:22:33	8TH AVE/SPRUCE AVE	Public Assist
07/07/2021	2107070004	PC	00:40:26	MOONSTONE BEACH RD	No Report
07/07/2021	2107070005	VEHI	00:42:35	999 SCENIC DR	Field Interview
07/07/2021	2107070011	VEHI	01:07:13	1 BAKER RANCH RD	Field Interview
07/07/2021	2107070012	VEHI	01:21:23	800 SCENIC DR	Field Interview
07/07/2021	2107070014	BUS	01:32:53	27 SCENIC DR	No Report
07/07/2021	2107070020	INC	02:42:23	333 QUARRY RD	Pending Recontact From Rp
07/07/2021	2107070040	ANIMAL	07:24:43	1053 8TH AVE	Unable to Locate
07/07/2021	2107070043	ANIMAL	08:00:09	1053 8TH AVE	Duplicate Call
07/07/2021	2107070068	PC	09:44:06	(UNKNOWN ADDRESS) <i>scenic</i>	Cad Documentation Only
07/07/2021	2107070072	AVA	10:05:15	8TH AVE/RAILROAD	Marked For Abatement
07/07/2021	2107070139	SUSPV	15:08:53	SCENIC DR/JSO BAKER RANC	Public Assist
07/07/2021	2107070147	XFER	15:31:02	122 MOONSTONE BEACH RD	Xfer to Fire
07/07/2021	2107070163	459V	16:18:16	COLLEGE COVE PARK	Referred To Other Agency
07/08/2021	2107080052	415	09:30:53	389 MAIN ST	Public Assist
07/08/2021	2107080120	XFER	13:29:40	HIGHWAY 101 OFF RAMP/WES	Xfer to CHP
07/08/2021	2107080122	XFER	13:31:55	HIGHWAY 101 OFF RAMP/WES	Referred To Other Agency
07/08/2021	2107080162	459V	16:13:41	900 STAGECOACH RD	Online Report
07/08/2021	2107080190	911C	19:00:14	218 QUARRY RD	Pending Recontact From Rp
07/09/2021	2107090061	UNW	11:50:23	409 TRINITY ST	Unable to Locate
07/09/2021	2107090162	XFER	20:52:15	27 SCENIC DR	Xfer to Fire
07/10/2021	2107100092	911M	15:11:56	925 LIGHTHOUSE RD	Accidental Dial
07/11/2021	2107110008	XFER	01:06:21	472 QUARRY RD	Xfer to Fire
07/11/2021	2107110011	DISP	01:26:30	472 QUARRY RD	Cad Documentation Only
07/11/2021	2107110029	VEHI	07:40:15	389 MAIN ST	Unoccupied
07/11/2021	2107110041	488	09:33:53	323 TRINITY ST	Report Taken
07/11/2021	2107110050	INFO	10:55:45	1170 PATRICKS POINT DR	Cad Documentation Only
07/11/2021	2107110059	PC	12:12:35	27 SCENIC DR	Field Interview
07/11/2021	2107110060	415	12:30:53	300 TRINITY ST	No Report
07/11/2021	2107110093	XFER	16:06:48	(UNKNOWN ADDRESS) <i>Big Wagon</i>	Xfer to CHP
07/11/2021	2107110098	488	17:16:45	597 OLD WAGON RD	Cad Documentation Only
07/11/2021	2107110112	DISP	18:55:02	597 OLD WAGON RD	Duplicate Call
07/11/2021	2107110118	DISP	19:50:55	597 OLD WAGON RD	Cad Documentation Only
07/11/2021	2107110133	INV	22:18:02	597 OLD WAGON RD	Cad Documentation Only
07/11/2021	2107110145	NPROB	23:58:33	597 OLD WAGON RD	Cad Documentation Only



CONSENT AGENDA ITEM 4

SUPPORTING DOCUMENTATION ATTACHED

4. Second Reading of Ordinance 2021-03; Water Shortage Ordinance and Update of Water Shortage Contingency Plan.

CONSENT AGENDA ITEM

August 10, 2021

Item: Second Reading of Water Shortage Ordinance and Update of WSCP

The edits that were discussed and agreed upon at the last meeting and first reading of the ordinance have been incorporated into the final version for second reading.

In addition, the WSCP has been updated for consistency with the ordinance. This primarily included adding the more detailed water demand reduction measures from the ordinance.

Proposed Action(s):

1. Approve the second reading of Ordinance 2021-03
2. Approve the revised WSCP

Attachments

Ordinance 2021-03

Water Shortage Contingency Plan (revised August 2021)

TRINIDAD CITY HALL
P.O. BOX 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

STEVE LADWIG, MAYOR
GABRIEL ADAMS, CITY CLERK



ORDINANCE NO. 2021-03

AN ORDINANCE OF THE CITY OF TRINIDAD

AMENDING SECTION 13.04.440 AND REPEALING CHAPTER 13.08 (WATER RATIONING) AND ADDING A NEW CHAPTER 13.08 (WATER SHORTAGE REGULATIONS AND RESTRICTIONS) TO TITLE 13 OF THE TRINIDAD MUNICIPAL CODE.

The City Council of the City of Trinidad does hereby ordain as follows:

ORDINANCE 2021-XX, SECTION 1:

Revise chapter 13.04, Section 13.04.440, Water Waste, to read as follows: [strike through text indicates deletions]:

13.04.440 Water waste prohibitions.

~~No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the city may discontinue the service if such conditions are not corrected within five days after giving the customer written notice. [Ord. 140 § 141, 1971].~~

It shall be unlawful for any person, firm, partnership, association, corporation, political entity (including the City) or any other water system customer to use water for any of the following:

- A. Fire Hydrants. Use of water from any fire hydrant unless specifically authorized by permit from the City, except by regularly constituted fire protection agencies for fire suppression purposes, or for other authorized uses, including distribution system flushing, fire flow testing, and filling of approved vehicles for authorized purposes.
- B. Watering/Irrigation. The application of potable water to outdoor landscapes in a manner that causes runoff such that more than just incidental water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures.
- C. Watering/Irrigation. The application of potable water to outdoor landscapes within 48 hours after rainfall totaling 0.25 inches or more.

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- D. Plumbing Leaks. The escape of water through leaks, breaks, or other malfunctions within the water user's plumbing or distribution system for any period of time after such break or leak should have reasonably been discovered and corrected. It shall be presumed that a period of twenty-four hours after the water user discovers such break, leak or malfunction, or receives notice from the City of such condition, whichever occurs first, is a reasonable time within which to correct such condition or to make arrangements for correction.
- E. Washing of Exterior Surfaces. The washing of sidewalks, walkways, driveways, parking lots, patios, or other exterior surfaces unless the hose is equipped with an automatic shutoff nozzle.
- F. Cleaning of Structures and Vehicles. ~~Notwithstanding § 13.16.080, the cleaning of building exteriors, mobile homes, cars, boats, and recreational vehicles unless the hose is equipped with an automatic shutoff nozzle.~~
- G. Fountains and Decorative Water Features. The operation of a water fountain or other decorative water feature that does not use re-circulated water.
- H. Construction. The use of potable water for dust control or soil compaction purposes in construction activities where there is a reasonably available source of reclaimed water appropriate for such use.
- I. The indiscriminate running of water or washing with water, not otherwise prohibited in this section which is wasteful and without reasonable purpose.

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ORDINANCE 2021-XX, SECTION 2:

There is hereby added to the Trinidad Municipal Code a new chapter, chapter 13.08, replacing the existing chapter 13.08, to be known as the "City of Trinidad Water Shortage Regulations and Restrictions Ordinance," which shall read as follows:

Chapter 13.08

WATER SHORTAGE REGULATIONS AND RESTRICTIONS

13.08.010 - FINDINGS

Whereas, the City of Trinidad water system draws exclusively from Luffenholtz Creek, whose yield varies from year to year depending on the amount of rainfall received and runoff generated during the winter season; and

Whereas, the City water system is susceptible to water shortages in very dry years or in periods of prolonged regional drought when water conditions, characterized by low

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surface flows in Luffenholtz Creek, could reduce the available supply to a level that cannot support daily water demand; and

Whereas, on January 26, 2021, the City Council of the City of Trinidad adopted a Water Shortage Contingency Plan, which may be amended from time to time, that describes how the City will respond to future water shortages and lists the various actions the City would take to reduce water demand under different water shortage scenarios; and

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Whereas California Water Code Sections 350 et seq. authorize water suppliers, after holding a properly noticed public hearing and after making certain findings, to declare a water shortage (emergency) and to adopt such regulations and restrictions to conserve the water supply for the greatest public benefit with particular regard for domestic use, sanitation, and fire protection; and

Whereas, the voluntary and mandatory water conservation measures and progressive restrictions on water use and method of use set forth herein provide an effective and immediately available means of conserving water which is essential during periods of water shortage to ensure a reliable and sustainable minimum supply of water for the public health, safety, and welfare; and

Whereas, public outreach and conservation in the early stages of a drought or other foreseeable shortage helps people transition to using less water and helps to minimize the adverse effects of potential future critical water supply shortages and emergency water supply conditions; and

Whereas, the usage allotments hereinafter established will equitably spread the burden of restricted and prohibited usage in a manner prescribed by the City's Water Shortage Contingency Plan over all City water customers and other consumers of City water.

13.08.020 - PURPOSE

The purpose of this chapter is to implement the City of Trinidad's Water Shortage Contingency Plan (WSCP) in order to protect public health, welfare, and safety through conservation of the City's water resources in times of insufficient water supply, which could be caused by drought, mechanical failure, and other conditions. Implementation of this chapter is intended to conserve the water supply of the City of Trinidad for the greatest public benefit, to mitigate the effects of a water supply shortage on public health and safety and economic activity, and to budget water use so that a reliable minimum supply of water will be available for the most essential purposes for the extent possible during the duration of the water shortage.

13.08.030 - DEFINITIONS

- A. "City Manager" refers to the City Manager of the City of Trinidad.
- B. "Water" refers to water produced and served by the City of Trinidad water system.
- C. "City" refers to the City of Trinidad.

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- D. "Customer" shall refer to any account customer of the City of Trinidad water system as well as to any consumer of City water who may not be a City of Trinidad water system account customer.
- E. Issue/Declare. Whenever this chapter references the City Council's, City Manager's, or other City staff's issuance or declaration of an alert, warning, emergency, or regulation, said alert, warning, emergency or regulation shall be put into effect by the placement of a legal advertisement in a newspaper of general circulation, by a posting on the City's website and by a posting in three conspicuous public places. Any such alert, warning, emergency or regulation shall take effect upon the date of its publication in the Mad River Union or Times-Standard.
- F. "Water Shortage Response Team (WSRT)" refers to a committee formed by the City Council of the City of Trinidad during water shortage conditions to advise the Council on implementation of the WSCP and this chapter.

13.08.040 - DECLARATION OF WATER SHORTAGE

The provisions of this chapter shall take effect whenever the City Council, upon analysis of City water supplies and/or upon recommendation appropriate City staff, finds and determines that a water shortage exists or is imminent within the City of Trinidad Water Service Area and a declaration of a water shortage is made by a resolution of the City Council, and shall remain in effect for the duration of the water shortage and until the City Council rescinds the resolution. Once the City has declared that a water shortage exists, the WSRT shall be formed and the City Manager shall be empowered to declare the various water shortage stages as recommended by the WSRT and outlined in the WSCP and herein.

13.08.050 - APPLICATION OF REGULATION

The provisions of this chapter shall apply to all persons using or consuming water produced by the Trinidad water system both inside and outside the City and within the City Water Service Area, and regardless of whether any person using water shall have a contract for water service with the City.

13.08.060 - PRECEDENCE OF REGULATIONS

Where other provisions of the municipal code, whether enacted prior or subsequent to this chapter, are inconsistent with the provisions of this chapter, the provisions of this chapter shall supersede and control for the duration of the water shortage set forth in the resolution of the City Council.

13.08.070 - WATER SYSTEM CUSTOMER CLASSIFICATIONS/ALLOCATIONS

For determining a water system customer's water allocation during a declared water shortage under this chapter and for all other purposes under this title, the following

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customer classification definitions shall apply based on the customer's ownership or occupation of the following types of property served by the water system:

- A. Residential User: Account serving not more than two residences.
- B. Commercial User: Account serving non-residential uses and accounts serving more than two residences.
- C. Large User: Account that averages 500 gpd or more during the water shortage.

13.08.080 - STAGE 1: WATER SHORTAGE ALERT

- A. The City Council, upon finding that the criteria delineated in the City's adopted WSCP have been met for Stage 1, shall issue a water shortage alert and recommend the water shortage restrictions in this section. In a Stage 1 water shortage, the City will encourage the following water shortage restrictions.
- B. During Stage 1, the City shall encourage any person, firm, partnership, association, corporation, political entity (including the City) or any other water system customer to utilize the following conservation measures:
 - 1. To not water or irrigate lawn, landscape, or other vegetated area between the hours of 10:00 a.m. and 5:00 p.m., except when performed with a bucket or watering can, or by use of a drip irrigation system or similar low volume, nonspray irrigation equipment, or for very short periods of time for the express purpose of allowing landscape contractors to adjust or repair an irrigation system;
 - 2. To not use a hose that is not equipped with a shutoff nozzle for any purpose;
 - 3. To not use water to wash down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking lots, tennis courts, patios, or other paved surfaces, except when it is necessary to alleviate safety or sanitation hazards or to prepare paved surfaces for sealing; and/or
 - 4. To not irrigate unlandscaped areas.

13.08.090 - STAGE 2: WATER SHORTAGE WARNING

- A. The City Manager, upon recommendation by the WSR~~T~~ that the criteria delineated in the City's adopted WSCP have been met for Stage 2, shall issue a water shortage warning and enforce the water shortage restrictions in this section. In a Stage 2 water shortage, the recommended measures from Stage 1 shall become mandatory. The City will enforce the following water shortage restrictions.
- B. During Stage 2, it shall be unlawful for any person, firm, partnership, association, corporation, political body (including the city) or other water department customer:
 - 1. To water or irrigate lawn, landscape, or other vegetated area between the hours of 10:00 a.m. and 5:00 p.m., except when performed with a bucket or watering can, or by use of a drip irrigation system or similar low volume, nonspray irrigation

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equipment, or for very short periods of time for the express purpose of allowing landscape contractors to adjust or repair an irrigation system;

2. To irrigate unlandscaped areas;
3. To use a hose that is not equipped with a shutoff nozzle for any purpose;
4. To use water to wash down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking lots, tennis courts, patios, or other paved surfaces, except when it is necessary to alleviate safety or sanitation hazards or to prepare paved surfaces for sealing;
5. To wash the exterior of dwellings, buildings or structures (with the exception of window washing and preparation of property for painting or for sale);
6. To operate a commercial lodging establishment, including STRs, without offering patrons the option to forego the daily laundering of towels, sheets and linens;
7. To serve water in a restaurant or other commercial food service establishment except upon the request of a patron; and/or
8. To disobey WSRT direction to large users to conduct water use audits and to prepare water conservation plans.

13.08.100 – STAGE 3: WATER SHORTAGE EMERGENCY

- A. The City Manager, upon recommendation by the WSRT that the criteria delineated in the City's adopted WSCP have been met for Stage 3, shall issue a water shortage emergency and enforce the water shortage restrictions in this section. In a Stage 3 water shortage, the City will enforce the following water shortage restrictions.
- B. During Stage 3, it shall be unlawful for any person, firm, partnership, association, corporation, political body (including the city) or other water department customer:
 1. To water or irrigate lawn, landscape, or other vegetated area between the hours of 10:00 a.m. and 5:00 p.m., except when performed with a bucket or watering can, or by use of a drip irrigation system or similar low volume, nonspray irrigation equipment, or for very short periods of time for the express purpose of allowing landscape contractors to adjust or repair an irrigation system;
 2. To water or irrigate lawn, landscape, or other vegetated area on days of the week other than the specified day(s) of the week authorized and publicized by the City Manager, except when performed with a bucket or watering can, or by use of a drip irrigation system or similar low volume, nonspray irrigation equipment, or for very short periods of time for the express purpose of allowing landscape contractors to adjust or repair an irrigation system. Hourly restrictions set forth in subsection (B)(1) continue to apply on authorized watering days. This provision shall not apply to residential vegetable gardens/edible plantings watered with a hose equipped with a shutoff nozzle;

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3. To water or irrigate lawn, landscape, or other vegetated area using an automatic irrigation system for more than fifteen minutes per watering station per assigned day. This provision shall not apply to automatic irrigation systems exclusively using low output sprinkler equipment, including rotors, stream rotors, or micro-spray systems;
4. To irrigate unlandscaped areas;
5. To install new landscaping;
6. To use a hose that is not equipped with a shutoff nozzle for any purpose;
7. To use potable water to wash down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking lots, tennis courts, patios, or other paved surfaces, except when it is necessary to alleviate safety or sanitation hazards or to prepare paved surfaces for sealing;
8. To wash the exterior of dwellings, buildings or structures (with the exception of window washing and preparation of property for painting or for sale);
9. To wash vehicles, including RVs and boats;
10. To operate a commercial lodging establishment without offering patrons the option to forego the daily laundering of towels, sheets and linens;
11. To serve water in a restaurant or other commercial food service establishment except upon the request of a patron;
12. To initially fill or to drain and refill swimming pools and hot tubs;
13. To disobey WSRT direction to large users to conduct water use audits, to prepare water conservation plans and to submit progress reports, or to immediately repair water system leaks, including leaks attributable to faulty pipes or fixtures;
14. To violate residential and commercial user water rationing regulations, including regulations intended to preclude excessive water usage and specifying maximum water usage limitations, issued by the WSRT in accordance with the City's adopted water shortage contingency plan; and/or
15. To disobey WSRT directives issued to commercial users requiring the prominent placement of "Save Water" signage at specified locations at the customer's premises.
16. To exercise any rights conferred by hydrant and bulk water sales that were issued prior to the severe water shortage emergency declaration absent special permission granted by the WSRT. Said special permission may be granted only for projects necessary to protect the public health, safety and welfare where no alternative to potable water exists and for emergency response purposes.

13.08.110 – STAGE 4: SEVERE WATER SHORTAGE EMERGENCY

- A. The City Manager, upon recommendation by the WSRT that the criteria delineated in the City's adopted WSCP have been met for Stage 4, shall issue a water shortage

Page 7 of 14

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emergency and enforce the water shortage restrictions in this section. In a Stage 4 water shortage, the City will enforce the following water shortage restrictions.

- B. During Stage 4, it shall be unlawful for any person, firm, partnership, association, corporation, political body (including the city) or other water department customer:
1. To water or irrigate lawn, landscape, or other vegetated area with potable water, except with low-flow drip irrigation;
 2. To irrigate unlandscaped areas;
 3. To install new landscaping;
 4. To use a hose that is not equipped with a shutoff nozzle for any purpose;
 5. To use potable water to wash down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking lots, tennis courts, patios, or other paved surfaces, except when it is necessary to alleviate safety or sanitation hazards or to prepare paved surfaces for sealing;
 6. To wash the exterior of dwellings, buildings or structures (with the exception of window washing and preparation of property for painting or for sale);
 7. To wash vehicles, including RVs and boats;
 8. To operate a commercial lodging establishment without offering patrons the option to forego the daily laundering of towels, sheets and linens;
 9. To serve water in a restaurant or other commercial food service establishment except upon the request of a patron;
 10. To initially fill or to drain and refill swimming pools, hot tubs, wading pools, or decorative water features;
 11. To disobey WSRT direction to large users to conduct water use audits, to prepare water conservation plans and to submit progress reports, or to immediately repair water system leaks, including leaks attributable to faulty pipes or fixtures;
 12. To violate residential and commercial user water rationing regulations, including regulations intended to preclude excessive water usage and specifying maximum water usage limitations, issued by the WSRT in accordance with guidelines set forth in the City's adopted water shortage contingency plan; and/or
 13. To disobey WSRT directives issued to commercial customers requiring the prominent placement of "Save Water" signage at specified locations at the customer's premises.
 14. To exercise any rights conferred by hydrant and bulk water sales that were issued prior to the severe water shortage emergency declaration absent special permission granted by the WSRT. Said special permission may be granted only for projects necessary to protect the public health, safety and welfare where no alternative to potable water exists and for emergency response purposes.

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13.08.120 – STAGE 5: CRITICAL WATER SHORTAGE EMERGENCY

- A. The City Manager, upon recommendation by the WSRT that the criteria delineated in the City's adopted WSCP have been met for Stage 5, shall issue a water shortage emergency and enforce the water shortage restrictions in this section. In a Stage 5 water shortage, the City will enforce the following water shortage restrictions.
- B. During Stage 5, it shall be unlawful for any person, firm, partnership, association, corporation, political body (including the city) or other water department customer:
1. To water or irrigate lawn, landscape, or other vegetated area with potable water, except as authorized by the WSRT;
 2. To irrigate unlandscaped areas;
 3. To install new landscaping;
 4. To use a hose that is not equipped with a shutoff nozzle for any purpose;
 5. To use potable water for any outdoor washing purpose including vehicle washing, window washing, and paint preparation;
 6. To operate a commercial lodging establishment without offering patrons the option to forego the daily laundering of towels, sheets and linens;
 7. To serve water in a restaurant or other commercial food service establishment except upon the request of a patron;
 8. To fill or top off swimming pools, hot tubs, wading pools, or decorative water features;
 9. To use water for recreational purposes;
 10. To disobey WSRT direction to large users to conduct water use audits, to prepare water conservation plans and to submit progress reports, or to immediately repair water system leaks, including leaks attributable to faulty pipes or fixtures;
 11. To violate residential and commercial user water rationing regulations, including regulations intended to preclude excessive water usage and specifying maximum water usage limitations, issued by the WSRT in accordance with guidelines set forth in the City's adopted water shortage contingency plan; and/or
 12. To disobey WSRT directives issued to commercial customers requiring the prominent placement of "Save Water" signage at specified locations at the customer's premises.
 13. To exercise any rights conferred by hydrant and bulk water sales that were issued prior to the severe water shortage emergency declaration absent special permission granted by the WSRT. Said special permission may be granted only for projects necessary to protect the public health, safety and welfare where no alternative to potable water exists and for emergency response purposes.

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13.08.130– EXCEPTIONS

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A. The WSRT, with the exception of the City Council representative, upon application made in writing by a customer on a form promulgated by the City and accompanied by supporting documentation, shall be authorized to issue an exception from the strict application of any restriction, regulation or prohibition enforced pursuant to this chapter, upon the customer's production of substantial evidence demonstrating the existence of one or more of the following circumstances that are particular to that customer and which are not generally shared by other water users:

1. Exceptions applicable to all City water service customers:

- a. Failure to approve the requested exception would cause a condition having an adverse effect on the health, sanitation, fire protection, or safety of the customer or members of the public served by the customer;
- b. Alternative restrictions to which the customer is willing to adhere are available that would achieve the same level of demand reduction as the restriction for which an exception is being sought and such alternative restrictions are enforceable by the water department;
- c. Circumstances concerning the customer's property or business have changed since the implementation of the subject restriction warranting a change in the customer's water usage allocation.
- d. A customer has already implemented sustainability measures that have reduced water consumption to the maximum extent feasible. As used in this subsection the term "sustainability measures" refers to installation of high efficiency plumbing fixtures, devices, equipment, and appliances, recycled water systems, and landscaping consisting exclusively of low-water-using plant materials using drip or similar high efficiency, nonspray irrigation systems, or to buildings that are designed, built, and continuously operated according to Leadership in Energy and Environmental Design (LEED) certification standards.

2. Exceptions applicable only to commercial users. For purposes of this subsection a residential dwelling unit which is used as a short-term rental shall not be classified as a business.

- e. Strict application of the subject restriction, regulation or prohibition would impose a severe or undue hardship on a particular business customer or render it infeasible for a particular business customer or class of business customers to remain in operation;
- f. A commercial user utilizing industry best management practices is eligible for an exception upon demonstrating that the subject restriction, regulation or prohibition is interfering with or preventing it from providing service to its customers in accordance with industry hygiene, sanitation and care standards.

B. In order to qualify for an exception, a customer must first complete a self water audit pursuant to standards and procedures promulgated by the WSCT. This audit shall be made part of the customer's exception application and water conservation measures indicated by the audit may be incorporated as conditions of approval to

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an exception in addition to any other conditions of approval imposed by the WSRT in connection with the WSRT's approval of the customer's exception application.

13.08.140 - APPEALS

- A. Any person affected by a decision on water allocation, rationing, fines or enforcement by the WSRT or City staff as authorized herein may appeal to the City Council by filing a notice of appeal with the Clerk of the City within 10 working days of the action of the WSRT or City staff.
1. A water service resident who is not an account customer may notify the City Clerk of his or her intention to file a petition to force the resident's account customer to appeal an excess water use penalty within ten business days following the penalty;
 2. If the water department has been given a notice of intention to file a petition per subsection (A)(1) by a water service area resident who is not an account customer, the appeal from the account customer must be received within fifteen business days after the account customer has been petitioned by the resident;
- B. The appeal shall be accompanied by a filing fee set by resolution of the City Council of the City in an amount sufficient to cover costs to the City. The appeal shall stay the effect of the action of the WSRT or City staff.
- C. The appeal shall be in writing and shall state the nature of the appeal specifying the action or penalty that is being appealed and the basis upon which the action or penalty is alleged to be in error. Penalty appeals shall include a copy of the notice of violation.
- D. The City Clerk shall forward copies of the appeal to the City Council and WSRT and/or the City staff member who made the decision. In the notice of appeal, the appellant shall state in full the facts and circumstances which make the action of the WSRT or City staff unreasonable. It shall also state the date of the claimed unreasonable action of the WSRT or City staff.
- E. The City Council shall cause the matter to be set for hearing not earlier than 14 days after the appeal has been filed with the Clerk of the City. The Clerk of the City shall cause notice to be mailed to all affected persons (within 100 feet of the property boundaries) at least 10 days prior to the hearing.
- F. At the time and place set for the hearing, the City Council shall proceed to hear the testimony of the WSRT or City staff, the testimony of the owner or their representatives, and the testimony of other competent persons concerning conditions upon which the action of the WSRT or City staff is based and other matters which the City Council may deem pertinent. Any person affected may be present at such hearing, may be represented by counsel, may present testimony, and other witnesses. The hearing may be continued from time to time. The City Council may request an opinion from the City Attorney.
- G. The City Council may upon the appeal either affirm the action of WSRT or City staff or modify the WSRT's or City staff's action in whole or in part. The decision of the City Council upon an appeal shall be based upon the facts presented to it and shall be final.

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13.08.150 – ADMINISTRATIVE ENFORCEMENT

- A. Any person, firm, partnership, association, corporation, political entity or other water department customer violating any provision of this chapter may be assessed an administrative penalty.
- B. Each and every day a violation of this chapter exists constitutes a separate and distinct offense for which an administrative penalty may be assessed.
- C. Penalties. The purpose of the administrative penalties assessed pursuant to this section is to assure future chapter compliance by the cited customer through the imposition of increasingly significant penalties so as to create a meaningful disincentive to commit future chapter violations. In acknowledgment of the fact that the City's water is a scarce and irreplaceable commodity and that this chapter is intended to equitably distribute that commodity among water service customers and to assure that, to the extent feasible, City water is conserved and used only for purposes deemed necessary for public health and safety, the penalty schedule herein prescribed is not to be construed as creating a "water pricing" structure pursuant to which customers may elect to pay for additional water at significantly higher rates. To this end, a customer's repeated violation of this chapter shall result in either the installation of a flow restriction device or disconnection of the customer's property from the City's water service system at the customer's cost.
- D. Administrative penalties for failure to comply with water waste prohibition requirements in Section 13.04.440 or mandatory water use restrictions and regulations commencing with Stage 1 in Section 13.08.080 are as follows:
 - 1. First Offense. Written notice of violation and opportunity to correct violation.
 - 2. Second Offense. A second violation within the preceding twelve calendar months is punishable by a fine not to exceed one hundred dollars (\$100.00).
 - 3. Third Offense. A third violation within the preceding twelve calendar months is punishable by a fine not to exceed two hundred fifty dollars (\$250.00).
 - 4. Fourth Offense. A fourth violation within the preceding twelve calendar months is punishable by a fine not to exceed five hundred dollars (\$500.00). In addition to any fines, the City Manager may order a water flow restrictor device be installed.
 - 5. Large Users. Administrative penalties for large users shall be triple the amounts listed above.
 - 6. Discontinuing Service. In addition to any fines and the installation of a water flow restrictor, the City Manager may disconnect a customer's water service for willful violations of mandatory restrictions and regulations in this chapter. Upon disconnection of water service, a written notice shall be served upon the customer which shall state the time, place, and general description of the prohibited or restricted activity and the method by which reconnection can be made.

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- E. Excessive Water Use Penalties. An excessive use penalty shall be assessed where the customer, during any given billing cycle, uses more than the customer's water allotment per the City Managers water rationing regulations issued pursuant to this chapter commencing with Stage 3 in Section 13.08.100. Excess use penalties shall be in addition to ordinary water consumption charges, as follows:
1. One percent to ten percent over customer monthly rationing allotment: not to exceed twenty-five dollars (\$25.00) per 100 cubic feet.
 2. Between ten and twenty-five percent over customer monthly rationing allotment: not to exceed fifty dollars (\$50.00) per 100 cubic feet.
 3. More than twenty-five percent over customer monthly rationing allotment: not to exceed one hundred dollars (\$100.00) per 100 cubic feet.
 4. In addition to any excess use penalties, the City Manager may order a water flow restrictor device be installed and/or may disconnect a customer's water service for willful violations of the water rationing regulations in this chapter. Upon disconnection of water service, a written notice shall be served upon the customer which shall state the time, place, and general description of the prohibited or restricted activity and the method by which reconnection can be made.
 5. The WSRT is authorized to develop administrative policies and procedures for the waiver of excessive water use penalties.
- F. Cost of Flow Restrictor and Disconnecting Service. A person or entity that violates this chapter is responsible for payment of charges for installing and/or removing any flow-restricting device and for disconnecting and/or reconnecting service in accordance with the City's miscellaneous water service fee resolution then in effect. The charge for installing and/or removing any flow restricting device must be paid before the device is removed. Nonpayment will be subject to the same remedies as nonpayment of basic water rates.
- G. Notice and Hearing. The City Manager will issue a notice of violation by mail or personal delivery at least ten business days before taking any enforcement action described in subsection (D). Such notice must describe the violation and the date by which corrective action must be taken. A customer may appeal the notice of violation by filing a written notice of appeal with the city no later than the close of the business day before the date scheduled for enforcement action, accompanied by a twenty-five-dollar appeal fee. Any notice of violation not timely appealed will be final. Upon receipt of a timely appeal, a hearing on the appeal will be scheduled, and the City will mail written notice of the hearing date to the customer at least ten days before the date of the hearing. Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the City Manager may take appropriate steps to prevent the unauthorized use of water as appropriate to the nature and extent of the violation and the current declared water shortage condition.

13.08.160 – ADDITIONAL ENFORCEMENT AUTHORITY

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In addition to the remedies referenced above, the City Manager is empowered to pursue any additional remedies necessary, including criminal, civil and administrative remedies provided in the Trinidad Municipal Code, to correct a violation of this chapter.

13.08.170 – SEVERABILITY

If any portion of this chapter is held to be unconstitutional, it is the intent of the city council that such portion of the chapter be severable from the remainder and that the remainder be given full force and effect.

PASSED, APPROVED AND ADOPTED this _____ Day of _____, 2021, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Attest:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor

First Reading: [July 13, 2021](#)

Second Reading: [August 10, 2021](#)

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City of Trinidad

DROUGHT AND WATER SHORTAGE CONTINGENCY PLAN

Purpose

The purpose of the City of Trinidad's Water Shortage Contingency Plan (WSCP) is to protect public health, welfare, and safety through conservation of the City's water resources in times of insufficient water supply, which could be caused by drought, mechanical failure, and other conditions. Implementation of the WSCP is intended to prioritize critical water supplies for fire protection, sanitation, and domestic water use. Public outreach and conservation in the early stages of a drought or other foreseeable shortage helps people transition to using less water and helps to minimize the adverse effects of critical water supply shortages and emergency water supply conditions.

Scope

The WSCP defines a system-specific drought and water shortage index with associated mitigation measures to be used for water supply management in times of projected shortages and insufficient supply. It is not an overall Water Management Plan. Thus, it does not cover water supply sourcing, improvements to water plant equipment and operations, or water system maintenance.

Definitions

Water User Types:

Residential User: Account serving not more than two residences.

Commercial User: Account serving non-residential uses and accounts serving more than two residences.

Large User: Account that averages 500 gpd or more during the water shortage.

Trinidad Water System Overview

The City of Trinidad's (City) water supply is from Luffenholtz Creek, which is subject to limitations based on the terms of the City's water right as it relates to flows in the creek. The flow in the creek varies significantly throughout the year. Multi-year droughts, other extractions from the creek, and long-term climate change can significantly reduce summer flows. Treatment system characteristics also affect the City's ability to produce potable water; and storage and distribution system characteristics affect the City's ability to distribute water.

Luffenholtz Creek is currently the only source of raw water that serves the City of Trinidad system. The City purveys water to approximately 1,000 people inside and outside City limits. The City's diversion and water plant is located at 1313 Westhaven Dr. Trinidad California adjacent to Luffenholtz Creek. Water for the plant is pumped from a

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wet well that is filled through an infiltration gallery of perforated pipes located approximately ten feet below the creek bed. The point of diversion is just upstream of the Westhaven Dr. culvert. The City has current water rights limiting the rate of diversion, the annual maximum diversion, and requiring minimum bypass flows. In addition to water right limitations, the effective water production rates are limited by physical constraints in the processing of the water which include: infiltration gallery limitations, flocculator flow rates, filter fouling rates, backwash periods, and chlorine contact time requirements. In addition, the City has a relatively small amount of finished water storage that could supply typical uses for only a few days and is insufficient for bridging long term supply limitations.

Because Trinidad's water source is a small creek with no reservoir, the City essentially has no long-term storage. Therefore, the situation is different from most larger water systems that obtain water from a reservoir or groundwater storage. It means that water conservation early in the dry season, when flows on Luffenholtz Creek are normal, does not preserve water for future use when creek flows get low. Essentially, the amount of water the City can supply is a function of how much water it pumps each day. (See the [Water Treatment Plant Production Memo](#) dated May 1, 2020 by GHD for additional information.) Once flows in the creek drop to a certain level, the pump outpaces the rate at which the wet well infiltration gallery refills. Once the wet well drops to a certain level, the pump has to be turned off to allow it to refill again, limiting the amount of water that can be pumped into the treatment system each day. There is a tipping point where the City can go from pumping at normal capacity, to a very sharp drop in pumping capacity once the creek reaches a critically low flow level that impacts the City's intake system.

Roles and Responsibilities

Water Committee / Water Shortage Response Team

The City Manager shall be responsible for monitoring all potential water shortage conditions and shall make recommendations to the City Council regarding the implementation of the Water Shortage Contingency Plan. It is the responsibility of the City Council or its designee to declare a water shortage. At the time of, or prior to the declaration of Stage 1, the City Council shall form a Water Shortage Response Team ([WSRT](#)) to make recommendations to the City Council and facilitate implementation of the WSCP. The specific stages and triggers to activate each stage based on the condition of the water supply will be determined in cooperation with the Water Shortage Response Team. [Once a Water Shortage Alert has been declared \(Stage 1\), it shall be the responsibility of the City Manager, upon recommendation by the WSRT, to declare subsequent stages based on the guidance in this plan.](#) Table 1 summarizes the triggers and degree of water shortage for each stage of action based on the stages described below.

Water Shortage Response Team (WSRT): City Manager, Public Works Director, Planning Commission Representative, and City Council Representative; other City staff may be invited to participate as needed.

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Declaration of Water Shortage

Upon recommendation by the WSRT, formal action declaring a water shortage is taken by City Council. The legal requirements for such action are covered in Section 350 et. seq. and 375 et. seq. of the California Water Code. The code requires the following process be followed unless an immediate emergency exists:

- That City Council hold a public hearing on the matter;
- That the public hearing be properly noticed (minimum of publishing once in newspaper at least seven days prior to the date of the hearing);
- Upon determining and declaring the existence of a water shortage, City Council may then adopt regulations and restrictions governing the use and delivery of water.

In accordance with CA Water Code § 376, water conservation rules adopted by the City Council establishing water use regulations become effective immediately, but the ordinance or resolution, or a summary, shall be posted in three public places within the City within 10 days of its adoption.

Public Outreach and Education

Even before formal declaration of a water shortage, a public information/media program should be activated to provide customers with as much advance notice as possible. The WSRT has developed a Drought Communications Plan to be used to implement the procedures and recommendations of this WSCP. The following section provides an overview of the general procedures for and types of public outreach that may be used in Trinidad. As technology changes, public outreach should adapt accordingly. The purpose is to reach the maximum number of people possible in a timely manner.

Following Council action, all residents and businesses, not just customers of record, would need to be provided notice of water shortage rules and regulations via a variety of media and communications methods, including print and television media, internet, and other methods. The timeline for getting information out to the public is very short. Initial notification would occur through the City's email newsletter and water billing postcards. Notifications will also be posted around town and on the City's website. Large water users and those businesses that are most likely to be seriously affected should be contacted directly.

Coordination between City staff and other public agencies can begin prior to formal declaration of a water shortage and can be accomplished through regular meetings, e-mail group updates, and presentations. Getting the public involved and keeping them informed will require a significant expansion of existing water conservation public information and outreach efforts. Contracting with an advertising agency to assist with a communications campaign and mass media advertising is one way to expand outreach efforts quickly. A

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substantial amount of printed information on how to conserve water during a water shortage has already been developed by others and can be put to immediate use.

RVS Software: Brief messages, such as what Stage the City is in can be printed on the postcard sized water bills, and they can be printed on colored paper to indicate the water shortage stage. The software does have robust query options, so the City can search for and flag accounts that used a certain percentage more water than their own average, or an overall average for example. And since the City only has a little over 300 accounts, it wouldn't be too much work export the data to Excel and produce customized messages or mailings.

Email Newsletter: The City should develop an email list for all water customers and Luffenholtz Creek residents, that is separate from the City's email newsletter list. The City will send out weekly updates or as conditions change.

Texts: The City may develop an alert notification system that includes sending out text messages to those who sign up.

City Website: Put most current information and conservation requirements, or links to it, on the home page.

City Council meetings: City staff will provide updates at City Council meetings.

WSRT: Regular meetings, forums or announcements as needed. WSRT meetings will be noticed and agendized in accordance with the Brown Act.

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Brochures and/or flyers: Brochures and/or flyers with information and tips on conserving water will be mailed to residents in the City, the City's Water Service Area and within the Luffenholtz Creek watershed. Brochures and flyers will be made available in City Hall and other locations around the City as available. Flyers and posters will also be posted in public locations.

Newspaper: The City does not have a daily paper of general circulation. A local, weekly newspaper may not be able to provide immediate information but may be a good tool for regular updates.

Social media may also provide a platform for public education and outreach.

In addition to outreach to water customers and the general public, the City should also develop and education and outreach program for residents of the Luffenholtz Creek watershed. The City should partner with the Trinidad Bay Watershed Council to help further this endeavor. In addition to outreach, the City should inventory and monitor wells, diversions and other water rights and uses within the watershed. The City may provide assistance to watershed residents to further the City's goals of maintaining the reliability of its water supply in dry years. This may include assistance or incentives for

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registering water diversions and increasing storage capacity and rainwater catchment and other actions deemed beneficial.

Water Shortage Responses

The City will manage water conservation and cutbacks for each water shortage stage. Public outreach and education are also an important part of these measures.

Water Conservation and Rationing

For each water shortage stage, the City will implement water conservation measures. In the earliest stages, measures will be voluntary and minimal. But as the stages progress, the measures will become stricter.

Early conservation measures will focus on types and times of use. This means required reductions in or prohibitions on certain uses of water. This would include things like filling hot tubs, outdoor washing (cars, boats, driveways, etc.) watering during certain times of the day, providing water only upon request at restaurants, etc.

As water shortage stages become more severe, water rationing will be required based on baseline water use for different types of users. Required cutbacks will be based on a pre-determined baseline by type of use (e.g. commercial v. residential). Those who are already below the baseline will not need to reduce water use, or will need to conserve less, and those above the baseline would need to conserve more.

Because of Trinidad's small size, the City will work with the largest water users to implement conservation/rationing methods that reduce water use without significantly impacting critical business operations. This is important, because modest cutbacks by a few large users could save more water than all residences having to reduce their use by a certain percent.

Rate increases

Water shortage stages will also be associated with rate increases for water service. If people are using less water, revenues will go down, but many of the operating costs for treating and delivering water will stay the same. In addition, more education, monitoring and enforcement will be needed, further increasing costs to the City. Water rates may be based on the baseline water use standards; rates for use in amounts below the baseline volume would be less than rates for use above the baseline. (Also see monitoring, enforcement and penalties section.) *Note that an analysis of expected revenue losses may be required in order to legally raise rates.*

Water Shortage / Drought Stages

As part of planning for a water shortage, the City has determined stages, or triggers, for water conservation requirements based on the severity of the water shortage. The City Council declares each stage as it occurs, which then triggers implementation of certain

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conservation measures or actions. Stages may also be stepped back as conditions warrant and as recommended by the WSRT and declared by the City Council. These measures, outlined herein, are implemented and enforced through Ordinance 20##-##. The Water Supply Shortage tiering system are as shown in Table 1.

Table 1. Water Supply Shortage Stages and Conditions			
Stage No.	Water Supply Conditions	% Reduced Production Capacity	Demand Reduction Actions
Normal	Normal operating conditions.	0%	Typical conservation with water waste prohibition ordinance(s) or regulations.
Stage 1: Water Shortage Alert	DEWS at D2 or above Rainfall at 75% or less for the season, or 65% or less March-June	0%	Public outreach and education, voluntary reductions.
Stage 2: Water Shortage Warning	Luffenholtz Creek flow rate low at 0.86 cfs	0%	Mandatory water use restrictions, additional public outreach.
Stage 3: Water Shortage Emergency	Reduced pumping capacity at water plant	0-25%	Mandatory water restrictions and rationing, work with individual large water users.
Stage 4: Severe Water Shortage Emergency	Further reduced pumping capacity at the plant, or restrictions based on required bypass flows.	25-50%	Strict water rationing, monitoring and enforcement of water use
Stage 5: Critical Water Shortage Emergency	Extreme low flow on Luffenholtz; emergency water service disruption due to disaster or plant failure; insufficient water for sanitation and fire protection.	50-100%	Severe water rationing; water supply supplementation

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Normal or above water year. Normal conservation measures recommended.

Stage 1: Water Shortage Alert

Description

Based on cumulative rainfall/water year type. This stage is be triggered early in the dry season based on the lack of rainfall over the previous wet season and/or the classification of the California Drought Early Warning System (DEWS). The criteria for entering this stage is a drought classification of D2 or higher, and/or 75% or less of total normal rainfall for the season or 65% or less of normal rainfall during the months of April through June. These numbers may need to be adjusted in multi-year droughts. This stage indicates the potential for water shortages later in the dry season.

City Actions and Responsibilities

- Form Water Shortage Response Team
- Public outreach will occur to let users know about the potential for shortages later in the season.
- Careful monitoring of flows on Luffenholtz will occur with summary reports provided to the WSRT on a weekly basis.
- Promote regular meter reading and leak detection by residents.
- Publish weekly consumption graph on City website and email newsletter.

Demand Reduction Measures

Conservation is voluntary at this point. Water waste is prohibited as usual per City ordinance.

- No watering or irrigating lawn, landscape, or other vegetated areas between the hours of 10:00 a.m. and 5:00 p.m., except when performed with a bucket or watering can, or by use of a drip irrigation system or similar low volume, nonspray irrigation equipment, or for very short periods of time for the express purpose of allowing landscape contractors to adjust or repair an irrigation system;
- No use of a hose that is not equipped with a shutoff nozzle for any purpose;
- No use of water to wash down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking lots, tennis courts, patios, or other paved surfaces, except when it is necessary to alleviate safety or sanitation hazards or to prepare paved surfaces for sealing; and/or
- No irrigation of unlandscaped areas.

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Stage 2: Water Shortage Warning

Description

Based on a low flow. The second stage is triggered by a sustained flow rate on Luffenholtz Creek of 0.86 cfs or less as measured just above the water plant, or just below the water plant with the pumps off. This number is based on the criteria for having to notify CA Dept. of Fish and Wildlife in the City's water right. This stage indicates that water shortages are likely to occur in the near future. The flow basis may be revised as better

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<#>No irrigating such that water runs off the subject property¶
<#>Hoses must have hose-end shut-off nozzles ¶
<#>No non-recirculating fountains¶

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flow information becomes available. This stage includes public education and minor mandatory cutbacks to get people ready for the potential for more severe shortages.

City Actions and Responsibilities

- Daily reporting on Luffenholtz Creek flows
- Weekly meetings of the WSRT
- (Any changes in City operations, such as no flushing of lines?)
- Increased water waste monitoring and enforcement and leak detection
- Continue to promote meter reading and self-monitoring for customers
- Public weekly newsletter, including consumption graph(s)
- Consult with large water users to develop conservation plans

Demand Reduction Measures

The demand reduction measures of Stage 1 remain in effect, in addition to the following:

- No washing of the exterior of dwellings, buildings or structures (with the exception of window washing and preparation of property for painting or for sale);
- No operating a commercial lodging establishment, including STRs, without offering patrons the option to forego the daily laundering of towels, sheets and linens;
- No serving water in a restaurant or other commercial food service establishment except upon the request of a patron; and/or
- Follow WSRT direction to large users to conduct water use audits and to prepare water conservation plans.

Stage 3: Water Shortage Emergency

Description

Based on reduced pumping capacity from the wet well that cannot keep pace with demand on a daily basis as determined by the Public Works Director in consultation with the City Engineer. This stage indicates a current water shortage and reduced pumping and treatment capacity at the water plant. Water rationing is required at this point, along with continued public education, monitoring and enforcement of water use.

City Actions and Responsibilities

- Cease flushing of lines and hydrants
- Discontinue filling water trucks
- Institute drought rates and penalties for overuse
- Water Shortage Response Team to convene as needed to consider exceptions to rationing requirements, appealable to the City Council.
- Undertake contingency planning and preparation for continuing/escalating shortage
- Develop strategy to mitigate revenue losses
- Prepare to implement supplemental water plan

Demand Reduction Measures

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Deleted: <#>Restrict landscape irrigation to designated water days and times; days/times may be alternated by addresses or other means to prevent excessive water use at any one time/day.¶
<#>Prohibit exterior washing of hardscapes, dwellings, buildings or structures (with exceptions for window washing or in preparation for painting¶
<#>Water only upon request at restaurants¶
<#>Require option for no laundry at B&B and STRs

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The demand reduction measures of Stage 2 remain in effect, in addition to the following:

- No watering or irrigating of lawns, landscape, or other vegetated areas on days of the week other than the specified day(s) of the week authorized and publicized by the City Manager, except when performed with a bucket or watering can, or by use of a drip irrigation system or similar low volume, nonspray irrigation equipment, or for very short periods of time for the express purpose of allowing landscape contractors to adjust or repair an irrigation system. Hourly restrictions set forth in subsection (B)(1) continue to apply on authorized watering days. This provision shall not apply to residential vegetable gardens/edible plantings watered with a hose equipped with a shutoff nozzle;
- No watering or irrigating of lawns, landscape, or other vegetated areas using an automatic irrigation system for more than fifteen minutes per watering station per assigned day. This provision shall not apply to automatic irrigation systems exclusively using low output sprinkler equipment, including rotors, stream rotors, or micro-spray systems;
- No installation of new landscaping;
- No washing of vehicles, including RVs and boats;
- No initial filling and draining and refilling swimming pools and hot tubs;
- Follow WSRT direction to large users to conduct water use audits, to prepare water conservation plans and to submit progress reports, or to immediately repair water system leaks, including leaks attributable to faulty pipes or fixtures;
- Follow residential and commercial user water rationing regulations, including regulations intended to preclude excessive water usage and specifying maximum water usage limitations, issued by the WSRT in accordance with the City's adopted water shortage contingency plan; and/or
- Follow WSRT directives issued to commercial users requiring the prominent placement of "Save Water" signage at specified locations at the customer's premises.
- No exercise of any rights conferred by hydrant and bulk water sales that were issued prior to the severe water shortage emergency declaration absent special permission granted by the WSRT. Said special permission may be granted only for projects necessary to protect the public health, safety and welfare where no alternative to potable water exists and for emergency response purposes.

Stage 4: Severe Water Shortage Emergency

Description

This stage indicates a critical shortage and potential emergency situation. This is based on a 25% reduced pumping capacity at the plant that may only be sufficient to supply enough water for basic drinking, sanitation and fire protection needs. Substantial cutbacks in water use are required.

City Actions and Responsibilities

- This stage requires substantial monitoring and management by the City. As the pumping and production capacity is reduced, additional measures and restrictions may be required.

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Deleted: <#>Require commercial users to put up signage notifying patrons of the drought conditions and encouraging conservation ¶
<#>Restaurants to provide water only upon request ¶
<#>Commercial users using more than 200 gpd to cut back use by 10% ¶
<#>Require large users to inspect and monitor premises and repair any leaks that are found ¶
<#>Residential rationing at the following allocation: 150 gpd per residence ¶
<#>No filling/refilling of hot tubs ¶
<#>No new landscaping ¶
<#>Further restrict landscaping days/times ¶
<#>No auto/boat washing ¶
<#>Reduced time allowed to resolve water waste ¶

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- Continue to work with large water users to identify additional measures to reduce use
- Increased staffing to provide customer service / drought hotline
- Increased staffing to patrol and monitor water use
- Publish information on ways to minimize most valuable landscaping damage and loss, including promotion of appropriate use of grey water
- Coordinate procurement of supplemental water source(s)

Demand Reduction Measures

The following demand reduction measures shall be implemented during Stage 4:

- No watering or irrigating lawns, landscape, or other vegetated areas with potable water, except with low-flow drip irrigation;
- No irrigation of unlandscaped areas;
- No installation of new landscaping;
- No use of a hose that is not equipped with a shutoff nozzle for any purpose;
- No use of potable water to wash down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking lots, tennis courts, patios, or other paved surfaces, except when it is necessary to alleviate safety or sanitation hazards or to prepare paved surfaces for sealing;
- No washing of the exterior of dwellings, buildings or structures (with the exception of window washing and preparation of property for painting or for sale);
- No washing of vehicles, including RVs and boats;
- No operation of a commercial lodging establishment without offering patrons the option to forego the daily laundering of towels, sheets and linens;
- No serving of water in a restaurant or other commercial food service establishment except upon the request of a patron;
- No initial filling or draining and refilling swimming pools, hot tubs, wading pools, or decorative water features;
- Follow WSRT direction to large users to conduct water use audits, to prepare water conservation plans and to submit progress reports, or to immediately repair water system leaks, including leaks attributable to faulty pipes or fixtures;
- Follow residential and commercial user water rationing regulations, including regulations intended to preclude excessive water usage and specifying maximum water usage limitations, issued by the WSRT in accordance with guidelines set forth in the City's adopted water shortage contingency plan; and/or
- Follow WSRT directives issued to commercial customers requiring the prominent placement of "Save Water" signage at specified locations at the customer's premises.
- No exercise of any rights conferred by hydrant and bulk water sales that were issued prior to the severe water shortage emergency declaration absent special permission granted by the WSRT. Said special permission may be granted only for projects necessary to protect the public health, safety and welfare where no alternative to potable water exists and for emergency response purposes.

Stage 5: Critical Water Shortage Emergency

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Deleted: <#>Commercial users using more than 200 gpd to cut back use by 20%
 <#>Residential rationing at the following allocation: 150 gpd per residence
 <#>Restrictions on exterior washing of surfaces and structures
 <#>No irrigation except drip or hand irrigation of perennials or with grey water
 <#>Further restrictions and rationing may be required as plant production capacity is reduced

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Description

Catastrophic failure. This stage indicates 50% or more water loss due to extreme drought, plant failure, pipe breakage, natural disaster, etc. There may be enough storage to provide for a few days of water supply depending on the nature of the emergency.

City Actions and Responsibilities

- Consider shifting to Emergency Operations Center model of command management for overall policy guidance and coordination
- Coordinate with law enforcement agencies to address enforcement challenges

Demand Reduction Measures

The following demand reduction measures shall be implemented during Stage 4:

- No watering or irrigating lawns, landscape, or other vegetated areas with potable water, except as authorized by the WSRT;
- No irrigation of unlandscaped areas;
- No installation of new landscaping;
- No use of a hose that is not equipped with a shutoff nozzle for any purpose;
- No use of potable water for any outdoor washing purpose including vehicle washing, window washing, and paint preparation;
- No operation of a commercial lodging establishment without offering patrons the option to forego the daily laundering of towels, sheets and linens;
- No serving water in a restaurant or other commercial food service establishment except upon the request of a patron;
- No filling or topping off swimming pools, hot tubs, wading pools, or decorative water features;
- No use of potable water for recreational purposes;
- Follow WSRT direction to large users to conduct water use audits, to prepare water conservation plans and to submit progress reports, or to immediately repair water system leaks, including leaks attributable to faulty pipes or fixtures;
- Follow residential and commercial user water rationing regulations, including regulations intended to preclude excessive water usage and specifying maximum water usage limitations, issued by the WSRT in accordance with guidelines set forth in the City's adopted water shortage contingency plan;
- Follow WSRT directives issued to commercial customers requiring the prominent placement of "Save Water" signage at specified locations at the customer's premises;
- No exercising any rights conferred by hydrant and bulk water sales that were issued prior to the severe water shortage emergency declaration absent special permission granted by the WSRT. Said special permission may be granted only for projects necessary to protect the public health, safety and welfare where no alternative to potable water exists and for emergency response purposes.

Monitoring, Enforcement and Penalties

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<#>Prohibit all outdoor irrigation
<#>No water for outdoor recreation or washing

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In addition to determining how water use will need to be reduced, the City will also need to monitor compliance, create enforcement mechanisms and set penalties for noncompliance.

Enforcement is carried out in a number of ways during a water shortage. In cases such as a report of water waste, the first step is to communicate with the customer by telephone, letter, door tag, or by making personal contact in the field to educate them about regulations. This contact may be all that is required to get the problem resolved. If not, enforcement progresses to a written notice of violation. Beyond this, there are several methods that can be adopted in the City's water conservation and water shortage ordinances that can be used to enforce water restrictions and rationing regulations. These methods are described below.

Penalty fees

This method would apply in situations involving violation of water restrictions, if, after multiple warnings had been given, a violation continued to occur at an account. The fee would be added to a customer's utility bill along with a written notice sent to the customer in advance. The penalty fee shall be set by Resolution of the City Council and would increase with subsequent violations, as in the following example:

- 1st Violation \$100
- 2nd Violation \$250
- 3rd Violation \$500
- 4th Violation \$1,000

Additional, higher penalty fees may also be established and applied to large users that willfully violate water restrictions.

Excess use fees

Excess use fees are the primary method for enforcing water rationing and are imposed on customers whose water use exceeds their allocation when rationing is in effect. The purpose of the excess use fee is to make the consequences of exceeding one's rationing allocation so severe that the customer is induced to keep their water use within their allocation and avoid being fined. Like water rates, there are two components to setting excess use fees: 1) the way they are structured, and 2) the dollar amount. Staff and the Planning Commission looked at several models from other agencies and recommend utilizing a two-tiered excess use fee structure for billing reasons and for clarity in communicating penalties to the public, and example of which is shown in Table 2. Actual fees shall be set by Resolution of the City Council.

Table 2. Proposed Excess Use Fees

Excess Use Range	Percent of Water Used in Excess of Allotment	Excess Use Charge per 100 Cubic Feet (~25 gpd) for all Water Used in Excess of Allotment (in addition to ordinary water consumption charges)
A	0% to 10% over allotment	\$0.00

p. 12 of 15

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B	10% to 25% over allotment	\$50.00
C	More than 25% over allotment	\$100.00

The purpose of a two-tier excess use structure is to avoid very large penalties for households that make a good faith effort to stay within their allocation but wind up going over a little. If a customer's water use exceeds one's allocation by a large amount, though, the penalty should be very steep.

Flow restriction

Some customers will continue to exceed their allotment regardless of the amount of their water bill. In such instances, the Public Works Director is authorized to install, or have installed, a flow restricting device to provide minimal water flow, just enough for health and safety purposes. In these cases, the customer is charged a fee to cover the staff time needed to install the flow restrictor and another fee for its removal. The Public Works Director would not use this method where fire suppression sprinklers are on the same supply line as domestic water.

Disconnection/reconnection fees. Water suppliers have the legal authority to enforce water shortage regulations by terminating service for egregious violations. In such cases, the customer would be charged for both disconnection and reconnection.

Citation

Finally, the City's water shortage ordinance authorizes staff to issue citations that would have to be paid or challenged in court. This method could be used in cases like a multifamily property where terminating service or restricting flow to all households may not be an option.

Exceptions and Appeals

Exceptions

No water shortage plan can account for all situations. The exception procedure allows the WSRT to provide for special or exceptional circumstances that otherwise would create undue hardship for an individual customer or class of customers. An exception allows a customer to be relieved of a particular regulation or receive an increased allocation for the duration of the shortage. Therefore, it should be granted only when justified on specific grounds that warrant allocating more water than other similarly situated customers and when consistent with the intent of the water shortage regulations, while providing equal treatment of all customers.

This policy is to make the customer first demonstrate the demand reduction efforts taken to meet the restriction or allocation, and places responsibility for managing and monitoring water use on the customer, where it belongs. It also serves to minimize the

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number of exception applications from those merely seeking more water without having gone to the effort to try to live within their given allocation.

For the purpose of granting exceptions, the City Council representative shall not participate as part of the WSRT in order to avoid having to recuse themselves in the case of an appeal. In order to grant an exception, the WSRT, minus the City Council representative, shall make the following findings as applicable:

- Failure to do so would cause a condition affecting the health, sanitation, fire protection, or safety of the applicant or the public;
- Strict application of the allotment provisions imposes a severe or undue hardship on a particular customer, or render it infeasible for a business or class of business to remain in operation;
- Alternative restrictions which achieve the same level of demand reduction as the restrictions from which an exception is being sought are available and are binding and enforceable;
- The customer has demonstrated to the WSRT's satisfaction that circumstances have changed warranting a change in the customer's allocation;
- Facilities using industry best management practices are eligible for an exception;
- Demonstration by a customer of actions already taken to increase environmental sustainability that have reduced water consumption to the maximum extent feasible, as determined by the WSRT.

Additional recommendations regarding the exception process are as follows: (1) that the denial of an exception may be appealed to the City Council; (2) the City adopt administrative procedures [*such as those used by the City of Tampa Bay*] for including appropriate information on an exception application, including the requirement that the applicant must demonstrate maximum practical reduction in water consumption; and (3) that a policy be added allowing the WSRT to impose conditions requiring long-term water efficiency improvements from customers as part of the exception process.

Appeals

- A. Any person affected by a decision on water allocation, rationing, fines or enforcement by the WSRT or City staff as authorized herein may appeal to the City Council by filing a notice of appeal with the Clerk of the City within 10 working days of the action of the WSRT or City staff. The notice of appeal shall be accompanied by a filing fee set by resolution of the City Council of the City in an amount sufficient to cover costs to the City. The appeal shall stay the effect of the action of the WSRT or City staff.
- B. The appeal shall be in writing and addressed to the City Council. The applicant shall file the appeal with the City Clerk. The City Clerk shall forward copies of the appeal to the City Council and WSRT. In the notice of appeal, the appellant shall state in full the facts and circumstances which make the action of the WSRT or City staff unreasonable. It shall also state the date of the claimed unreasonable action of the WSRT or City staff.
- C. The City Council shall cause the matter to be set for hearing not earlier than 14 days after the appeal has been filed with the Clerk of the City. The Clerk of the City shall

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cause notice to be mailed to all affected persons (within 100 feet of the property boundaries) at least 10 days prior to the hearing.

- D. At the time and place set for the hearing, the City Council shall proceed to hear the testimony of the WSRT or City staff, the testimony of the owner or their representatives, and the testimony of other competent persons concerning conditions upon which the action of the WSRT or City staff is based and other matters which the City Council may deem pertinent. Any person affected may be present at such hearing, may be represented by counsel, may present testimony, and other witnesses. The hearing may be continued from time to time. The City Council may request an opinion from the City Attorney.
- E. The City Council may upon the appeal either affirm the action of WSRT or City staff or modify the WSRT's or City staff's action in whole or in part. The decision of the City Council upon an appeal shall be based upon the facts presented to it and shall be final.

Water Shortage Recovery and Plan Termination

A water shortage ends when local rainfall, runoff, and aquifer storage levels improve to the point where the water system is once again capable of supporting unrestricted water demand. Any water use rules and regulations in effect at the time are officially rescinded by City Council and public notice is given that the water shortage is over. The WSRT would then oversee any remaining termination and plan review activities. These activities could include:

- Publicize gratitude for the community's cooperation
- Restore water utility operations, organization, and services to pre-event levels
- Document the event and response and compile applicable records for future reference
- Continue to maintain liaison as needed with external agencies
- Collect cost accounting information, assess revenue losses and financial impact, and review deferred projects or programs
- Debrief staff to review effectiveness of actions, to identify the lessons learned, and to enhance response and recovery efforts in the future
- Complete a detailed evaluation of affected facilities and services to prepare an "after action" report
- Update the water shortage contingency plan as needed.
- Continue to evaluate and implement measures to increase supply and security.

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CONSENT AGENDA ITEM 5

SUPPORTING DOCUMENTATION ATTACHED

5. Permission Letter and Agreement between the City of Trinidad and the Trinidad Rancheria for the Trinidad Harbor ASBS Stormwater Runoff Management and Green Infrastructure Enhancement Project.

Permission Letter and Agreement between the City of Trinidad and the Trinidad Rancheria for the Trinidad Harbor ASBS Stormwater Runoff Management and Green Infrastructure Enhancement Project

Chair Sundberg:

The Cher-Ae Heights Indian Community of the Trinidad Rancheria ("Tribe") has requested permission of the City of Trinidad ("City") to construct stormwater improvements, a portion of which will occur within the City's Galindo Street right-of-way. The improvements are part of the Tribe's Trinidad Harbor ASBS Stormwater Runoff Management and Green Infrastructure Enhancement Project. Specifically, the Tribe seeks access to the southern portion of the City's Galindo Street right-of-way ("Right-of-Way") adjacent to the Tribe's harbor properties (including Assessor's Parcel Numbers 042-071-012 and 042-0701-005) for the purposes of constructing stormwater improvements ("Project"), which is described in the City staff report, including attachments, for City Design Review/Grading Permit #2019-13 and the Tribe's design plans for permitting ("plans") attached hereto.

Pursuant to the following terms and conditions and acceptance of this Permission Letter and Agreement ("Permission Letter and Agreement") by the Tribe's Council and the City of Trinidad City Council, the City and Tribe (referred to collectively as the "Parties") agree as follows:

Agreement

Stormwater Enhancement Project

The Trinidad Harbor ASBS Stormwater Runoff Management and Green Infrastructure Enhancement Project involves retrofitting/replacing the existing parking lot with Low Impact Development (LID) stormwater improvements, including linear trench drains, permeable pavers, rain gardens and bioswales to manage stormwater and eliminate discharge into the ASBS. Specifically, on City Right-of-Way, improvements include (1) installation of concrete block mat (armorflex ramp) along the driveway to Launcher Beach and the boat launch, and (2) removal of existing rubble and placement of rock slope protection between the launcher access and the beach.

Conditions of City's Permission

1. The Parties accept the terms and conditions set forth in this Permission Letter and Agreement, as demonstrated by the Tribe's execution of this Permission Letter and Agreement. The Parties further agree that this Permission Letter and Agreement is not intended to expand or diminish any rights previously granted to the City under the Right-of-Way.

2. As required, the Tribe will secure all permits necessary for the Project, including the Coastal Development Permit from the California Coastal Commission, and the Tribe shall perform the Project in accordance with the permit requirements, including City Grading Permit (2019-13); *provided that* the Tribe shall notify the City of any material changes to the Project plans and request consent of the City as to such changes.

3. Tribe will perform the Project construction work between June 1 and October 30 and will provide the City with written notice of the actual Project work dates no less than 30 days prior to commencing work on the Project. No work will occur during a rainfall event. Operation and maintenance activities may occur year-round as needed.

4. The Tribe will require that the several construction Best Management Practices (BMPs) and other specifications and conditions of City Grading Permit #2019-13 are followed.

5. The Tribe will require the Tribal staff, contractors and subcontractors performing the work on the Project to maintain insurance policies satisfying the following requirements, and provide the City with evidence of the following insurance and endorsements naming the City as an additional insured party: (i) commercial general liability insurance coverage of no less than \$1,000,000 combined single limit per occurrence; and (ii) automobile liability insurance of \$1,000,000 per occurrence for any Tribal vehicles used on the Right-of-Way. The Tribe will require contractors to maintain workers' compensation insurance as required by the State of California.

6. The Tribe shall indemnify, defend, and hold harmless the City, its officers, agents, employees, and volunteers against any loss, cost, damage, expense, claim, suit, demand, or liability of any kind or character, including but not limited to reasonable attorney fees (collectively "Liabilities"), arising from or relating to: (a) any negligent or wrongful act or omission of the Tribe, its officers, employees, agents or contractors which occurs in the performance of, or otherwise in connection with, the Project; or (b) any Liabilities arising out of the Tribe's use, operation or maintenance of the Project. Notwithstanding the foregoing, the Tribe will not indemnify the City, its officers, agents, employees, and volunteers for Liabilities arising from active negligence or willful misconduct of the City, its officers, agents, employees, or volunteers. In addition, the Tribe will repair any damage to the City's Right-of-Way caused by the Project that is not an anticipated or agreed result of the Project. Jurisdiction and venue for any indemnity claim under this Permission Letter and Agreement shall be enforced pursuant to the arbitration provision in Section 8, and the arbitrators' award regarding such claims shall be subject to the sovereign immunity provision in Section 9 of this Permission Letter and

Agreement, below.

7. If the City abandons or otherwise transfers the Right-of-Way, the City shall provide notice of this Permission Letter and Agreement to the entity the Right-of-Way is conveyed to, and continuation of the terms of this Permission Letter and Agreement will be a condition on the transfer of the Right-of-Way.

8. Subject to the terms and conditions of Sections 8 and 9, any dispute, claim, question, or disagreement ("Dispute") arising from or relating to this Permission Letter and Agreement or breach thereof, shall be submitted for binding arbitration pursuant to the terms and conditions in this section after the parties have tried in good faith to resolve the Dispute by mediation as set forth herein.

(a) Mediation. In the event of any Dispute, the Parties agree to first attempt in good faith to settle the dispute through a meeting between the City Manager and the Tribe's Chief Executive Officer, or through voluntary mediation facilitated by a neutral intermediary.

(b) Arbitration. If a party in good faith concludes that a Dispute is not likely to be resolved by mediation, then, upon notice by that party to the other, all Disputes shall be finally and exclusively settled by arbitration administered by the AAA in accordance with the provisions of its Commercial Arbitration Rules subject to the terms and conditions of this Permission Letter and Agreement. Within ten (10) days after the commencement of arbitration, each party shall select one person to act as arbitrator and the two selected shall select a third arbitrator within ten (10) days of their appointment. If the arbitrators selected by the parties are unable or fail to agree upon the third arbitrator, the third arbitrator shall be selected by the AAA. The third arbitrator shall be a practicing attorney, actively engaged in the practice of law for at least ten years and a member in good standing of the bar of California. Alternatively, the third arbitrator may be a retired judge of the federal court or the trial court of the state of California. The third arbitrator shall have the AAA-acknowledged expertise in the appropriate subject matter. The arbitrators shall only have authority to hear Disputes brought by one party against the other party, or counterclaims brought by a party in a proceeding initiated by the other party. The place of arbitration shall be the county in which the Project is located. The award shall be made within nine months of the filing of the notice of intent to arbitrate, and the arbitrators shall agree to comply with the schedule before accepting appointment. However, this time limit may be extended by agreement of the parties or by the majority of the arbitrators, if necessary. Any award rendered in any such arbitration proceeding shall be final and binding, provided that the award may not exceed the scope of the Tribe's limited waiver of sovereign immunity set forth in Section 9 of this Permission Letter and Agreement.

- (c) Enforcement. Subject to the terms and conditions set forth in Section 9, judgment upon the award rendered by the arbitrators against any party shall, upon the request of the prevailing party, be entered in the Superior Court for the County of Humboldt ("Superior Court") where such proceeding shall be conducted subject to the rules and procedures thereof; provided, however, that the parties agree that the Superior Court shall have the power to enforce, but not review or modify, the arbitrators' award, provided that the Court made review and modify the award only to the extent that such award exceeds the scope of the Tribe's limited waiver of sovereign immunity set forth in Section 9 of this Permission Letter and Agreement. Each party, for itself and its authorities and instrumentalities, agrees that it shall accept and be bound by the award of the arbitrators or a judgment, ruling or order which is final (because either the time for appeal has expired or the judgment or order is issued by the court having final appellate jurisdiction over the matter and is not subject to collateral attack).
- (d) Document Discovery. Consistent with the expedited nature of arbitration, each party will, upon the written request of the other party, promptly provide the other with copies of documents, provided such documents are relevant to the issues raised by any claim or counterclaim. Any dispute regarding discovery, or the relevance or scope thereof, shall be determined by the chair of the arbitration panel and such determination shall be conclusive. All discovery shall be completed within forty-five (45) days following the appointment of the arbitrators.
- (e) Preliminary Relief. Either party may apply to the panel of arbitrators seeking injunctive relief until the arbitration award is rendered or the Dispute is otherwise resolved. Either party also may, without waiving any remedy under this Agreement, seek from the Superior Court, any interim or provisional relief that is necessary to protect the rights or property of that party, pending the establishment of the arbitration panel (or pending the arbitration panel's determination of the merits of the Dispute).
- (f) Waiver of Trial by Jury. The Parties hereby waive all rights to trial by jury in connection with any action brought or maintained hereunder.
- (g) Waiver of Administrative Remedies. The Parties, for themselves and their instrumentalities and authorities, hereby waive any right any one of them has to require the other to exhaust any administrative remedies, including but not limited to the claim presentation requirements set forth in California Government Code § 910 et seq., before commencing the dispute resolution process described herein or any court action and agree not to assert the claim or defense of failure to exhaust any administrative or other remedies in any action brought in the manner provided hereinabove.
- (h) Governing Law. The Parties expressly agrees that this Permission Letter and Agreement shall be interpreted in accordance with the laws of the State of California; provided that matters of federal law shall be construed,

interpreted and enforced in accordance with applicable federal law.

9. The Tribe hereby expressly reserves and asserts all attributes of its sovereign immunity except as expressly set forth in this Section 9. The Tribe expressly and irrevocably waives the sovereign immunity of the Tribe from suit against the Tribe by the City in an action initiated by the Tribe, or from any counterclaim brought by the City in an action initiated by the Tribe, which to be effective must satisfy each and every one of the limitations and conditions set forth below and is for the exclusive and sole purposes of (1) a claim brought in the Superior Court to compel arbitration pursuant to Section 8 of this Permission Letter and Agreement; (2) a claim brought in the Superior Court to enforce an arbitrator's decision rendered pursuant to Section 8 of this Permission Letter and Agreement; or (3) a claim or motion brought in the Superior Court for any interim or provisional relief that is necessary to protect the rights or property of that party, pending the establishment of the arbitration panel (or pending the arbitration panel's determination of the merits of the Dispute), *provided* that this limited waiver of sovereign immunity (i) shall not, itself, create any rights or secured interest(s) in against any of the real property, trust assets, or restricted income of the Tribe; (ii) shall not extend to suit for punitive damages; and (iii) shall only extend to actions filed by the City seeking to enforce an arbitrator's award for recovery of damages arising from the Tribe's breach of its obligations under this Permission Letter and Agreement up to and not exceeding the amount covered by the insurance policies of the Tribe pursuant to this Permission Letter and Agreement, and to actions to enforce such a judgment in law or equity, *provided further* that the Tribe does not consent to the levy of any judgment, lien, or attachment upon any property. This limited waiver of immunity shall not create any rights in entities not a party to this Permission Letter and Agreement and shall only remain in effect during the term of this Permission Letter and Agreement. The Tribe agrees that it will not raise sovereign immunity as a defense in any judicial action brought by the City to enforce the terms of this Permission Letter and Agreement, but only if each and every one of the limitations and conditions set forth in this limited waiver of the Tribe's sovereign immunity are satisfied. The Tribe certifies and verifies that the representative who signs this Permission Letter and Agreement has the authority to approve the limited waiver of sovereign immunity set forth in this Section 9 of this Permission Letter and Agreement.

10. If requested by either the City or the Tribe, a memorandum of this Permission Letter and Agreement may be recorded in the Official Records of Humboldt County, California.

11. Conditioned upon the Tribe's agreement with the terms and conditions set forth in this Permission Letter and Agreement, the City grants the Tribe and its authorized representatives, including State Water Resources Control Board staff, the right to access the City's Right-of-Way as necessary for the purposes of constructing, inspecting, operating and maintaining the work for the Project throughout the useful life of the project; *provided that* the City reserves the right to

revoke its permission if the Tribe fails to comply with the foregoing terms and conditions. The Tribe may also place a temporary sign as required by the funding agency, subject to obtaining Design Review approval, as necessary, from the City. If the terms and conditions set forth in this Permission Letter and Agreement are acceptable to the Tribe, we request that an authorized Tribal officer sign both copies of this Permission Letter and Agreement as well as requisite written consent to execution by the Tribe's Council and return one of the fully executed copies to the City by certified mail. If the Tribe does not agree to the foregoing terms and conditions, the City will deny the Tribe the requested access to the City's Right-of-Way for the Project. Once the foregoing documents are returned, this Permission Letter and Agreement will be presented to the Trinidad City Council for review and approval, in its discretion. Access will only be afforded if and when this Permission Letter and Agreement is approved by the Trinidad City Council.

The terms and conditions governing the City's offer to grant access to the Tribe pursuant to this Permission Letter and Agreement are hereby accepted by the Trinidad Rancheria and the City, as follows:

Signatures

City of Trinidad:

By: _____

Print Name: _____

Title: _____

Cher-Ae Heights Indian Community of the Trinidad Rancheria:

By: _____

Print Name: _____

Title: _____



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

1. Discussion/Decision regarding revised Government-to-Government Consultation Policy with Native American Tribes.

City of Trinidad Tribal Consultation Policy

(Government to Government Consultations)

I. Introduction

The purpose of this policy is to ensure effective government-to-government consultation between the City of Trinidad, a California incorporated city and local government (“City”), and Indian tribes regarding the development of policies, programs, projects, plans, property decisions, and activities (collectively, “Activities”) that may affect California Native American Tribes, their tribal lands and resources and community interests. The goal is to promote a mutually respectful discussion and consideration of the views of tribes in order to resolve the concerns of as many parties as possible, while at the same time recognizing the City’s commitment to transparent government and obligations to comply with the Ralph M. Brown Act (California Government Code Section 54950 et seq. (the “Brown Act”)).

The City recognizes that it is located within the aboriginal homeland of the Yurok people, and that significant tribal cultural resources are located within the City, and the City shall engage in consultation with all California Native American Tribes that are traditionally and culturally affiliated with the Tribal Cultural Resource that may be affected by proposed or anticipated actions or Activities of the City in accordance with applicable law.

II. Definitions

For purposes of this policy, the following definitions shall apply:

Activities: Means any action taken or to be taken by the City in connection with any project that is not excluded or exempt from the requirements of the California Environmental Quality Act (CEQA) or is connected with a proposed amendment to the City’s General Plan or to the adoption of an amendment to a management plan that affects Tribal Cultural Resources, as defined below.

California Native American Tribe: Refers to a federally recognized Native American Tribe located within California, as listed in the Federal Register. Only in situations involving Tribal Cultural Resources will a non-federally recognized California Native American Tribe that is on the list maintained by the NAHC be included in this definition. The NAHC will provide a list of non-federally recognized California Native American Tribes for each instance.

Consultation: Shall have the meaning defined in Section III of this policy, below.

Federally Recognized Tribe: A tribal entity that is recognized as having a government-to-government relationship with the United States; these entities are listed on the Federal Register and the current list is posted on the California Governor’s Office of the Tribal Advisor’s website, as the same may be amended from time to time (<https://tribalaffairs.ca.gov/tribal-information/>).

Tribal Cultural Resources: Shall have/has the same meaning as set forth in Public

Resources Code Sec. 21074. Only in situations involving cultural resources will a non-federally recognized California Native American Tribe that is on the list maintained by the NAHC be included in this Policy. The NAHC will provide a list of non-federally recognized California Native American Tribes for each instance where this Policy is applicable.

Tribal Sovereignty: Federally-recognized tribes are recognized in federal and state law as distinct, independent political communities exercising the powers of self-government with jurisdiction over the lands, natural and cultural resources, and activities of their tribal members, and under certain circumstances non-members, within their respective Tribal Lands. Some of these powers are inherent, and some have been delegated by the United States. Existing limitations on tribal sovereignty are defined through acts of Congress, treaties and federal court decisions.

Tribe: Refers to a California Native American Tribe or a Federally Recognized Tribe.

III. Process to Facilitate Government to Government Consultations

The City will seek to identify Tribes that may be affected by City sponsored Activities, proposed or anticipated by the City, and to consult with the potentially affected Tribes at a time early in the process that allows a reasonable opportunity for Tribes to comment and participate. The City will develop a contact list for all Federally Recognized Tribes and known California Native American Tribes with interests on/within the City's jurisdiction. Where the City anticipates that an action or City sponsored Activities may affect Tribes, the City will disseminate to the public and to potentially affected Tribes such public documents, notices, and sufficient information relevant to its Activities to enable the public and such potentially affected Tribes to understand the scope and potential impact of the action or Activity and to make informed decisions. Notices shall be designed to include sufficient detail of the topic to be discussed to allow the public and such tribal leaders an opportunity to fully engage in the process. The City will identify the appropriate staff members and decision-makers, associated with the Activities in question, who shall ensure meaningful and respectful consideration of the public's and tribal concerns.

The City will seek to conduct meetings, outreach, and workshops at times and locations that facilitate tribal participation and meaningful and respectful consultation. The City will request information from Tribes when conducting research or studies that pertain to or could affect Tribal Lands or Tribal Cultural Resources. Pursuant to California Government Code Section 65352.4 and applicable law, the City will engage in "government to government" consultation where required by California law, and specifically as required by California Government Code Sections 65351, 65352.3 and 65562.5. California Government Code Section 65352.4 defines consultation as, "the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American tribes shall be conducted in a way that is mutually respectful of each party's sovereignty. Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance." Effective consultation is recognized as an ongoing process, not a single event. The consultation process should focus on identifying issues of concern to tribes pertinent to the cultural place(s) at issue, including cultural

values, religious beliefs, traditional practices, and laws protecting Tribal Cultural Resources through mitigation measures and alternatives that avoid significant effects to the Tribal Cultural Resources. The goal of the consultation process on other matters will define the full range of acceptable ways in which a local government can seek to accommodate tribal concerns and establish partnerships that advance the shared interests of the Tribe and the City.

A. City Manager/City Planner as Tribal Liaison for Confidential Matters

The City receives, from time to time, requests to consult from Tribes to discuss various matters, some of which are policy oriented and some of which pertain to site specific concerns regarding sensitive Tribal Cultural Resources and tribal access to public property for ceremonial purposes. In accord with California Public Resources Code Section 21080.3.1, prior to the release of any negative declaration, mitigated negative declaration, or environmental impact report for a project within the City or for which the City serves as lead agency under the CEQA, the City shall follow the procedures and protocols established by Public Resources Code Sections 21080.3.1 and 21080.3.2 to facilitate effective government to government consultation with affected Tribes and mitigate against potential disturbance of culturally significant resources. The City Manager and City Planner shall act in the capacity as a tribal liaison during the course of any such consultation and shall ensure these discussions remain confidential to the extent required by applicable law. Any documents acquired from Tribes or created by City staff as part of this process shall be exempt from disclosure under the Public Records Act to the extent protected from disclosure by California law.

B. City Council or Committee Appointment for Review of Non-Confidential Subject Matter

Where a Tribe issues a request to meet with the City Council to address issues of public concern or of special concern to a Tribe related to City sponsored Activities or other matters, the Tribe will be advised of the Council's obligation to comply with the Brown Act. Where a Tribe requests to meet with the Council to discuss issues not subject to the confidentiality provisions regarding sensitive Tribal Cultural Resources and tribal access to public property for ceremonial purposes (which inquiries shall be directed to the City Manager and City Planner as noted in Section III.A., above), the City Council, in its discretion, will either: (i) place the public concern item on a regular meeting agenda of the full Council; or (ii) place on its agenda the formation of an Ad Hoc Advisory Committee or Standing Committee of the Council to facilitate the requested consultation. If an Ad Hoc Advisory Committee or Standing Committee is formed to facilitate the consultation, the meeting or meetings of the Committee shall be scheduled by a publicly noticed agenda posted at least 72 hours in advance of the meeting pursuant to subdivision (a) of Government Code Section 54954.2 and conducted in an open forum in compliance with the Brown Act.

IV. California Environmental Quality Act ("CEQA") Consultation Protocol

In accord with California Public Resources Code Section 21080.3.1, prior to the release of any negative declaration, mitigated negative declaration, or environmental impact report for a project within the City and/or for which the City serves as lead agency under the CEQA, the City shall follow the procedures and protocols established by Sections 21080.3.1 and 21080.3.2 to

facilitate effective government to government consultation with affected Tribes and mitigate against potential disturbance of culturally significant resources. The City Manager and City Planner shall oversee administration of this policy and shall facilitate government to government consultation in compliance with CEQA and Section III.A., above.

V. Amendment of General Plan Consultation Protocol

Each time the City considers a proposal to adopt or amend the general plan or specific plan, the City will contact the appropriate California Native American Tribes including but not limited to appropriate Tribes identified by the NAHC. If requested by the Tribes, the City will consult for the purpose of preserving or mitigating impacts to cultural places in accordance with Government Code Section 65352.3. The City will consider the following when determining whether a general plan or specific plan adoption or amendment is subject to notice and consultation requirements: (i) in the case of an applicant-initiated plan proposal, if the City accepts a complete application (as defined in Government Code § 65943) the proposal is subject to Government Code Section 65352.3; and (ii) in the case of a general plan or specific plan amendment initiated by the local government, any proposal introduced for study in a public forum is subject to Government Code Section 65352.3. The City will take certain actions to initiate, or propose, a general plan or general plan amendment. These actions must be taken in a duly noticed public meeting, and may include, but are not limited to, any of the following: appropriation of funds, adoption of a work program, engaging the services of a consultant, or directing the planning staff to begin research on the activity.

Under Government Code Section 65352.3, only if a Tribe is identified by the NAHC, and that Tribe requests consultation after being contacted by a local government, must a local government consult with the Tribe on the plan proposal. The City will seek to consult with Tribes as early as possible and may, if appropriate, begin consultation even before a formal proposal is submitted by an applicant or initiated by the local government.

VI. Disclaimers

This policy is intended solely for the guidance of employees of the City, Council Members, Committees and Commissions. It is not intended, and should not be construed, to define the legal relationship between the City and any Tribe. This policy is not intended to replace or supplant obligations mandated by federal or California law. The policy provides general guidance for improving City consultation, communication and collaboration with Tribes to the extent that a conflict does not exist with applicable law or regulations. This policy is not intended as a regulation, or to create, expand, limit, waive, or interpret any legal rights or obligations of the City.



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

2. Discussion/Presentation regarding Water Advisory Committee Reports.

City of Trinidad Municipal Water Storage

System Overview and Recommendations



AUGUST 3, 2021

WATER ADVISORY COMMITTEE

Prepared by C. Kelly, Planning Commissioner

Background

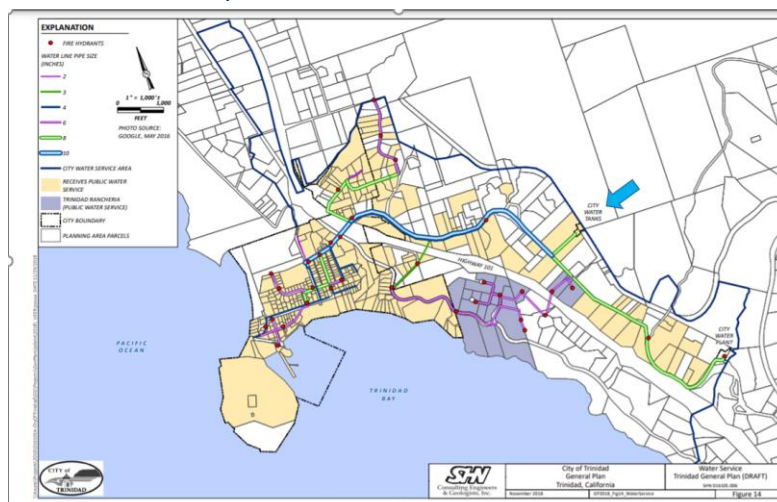
This report focuses on the City's current water storage system, including a brief overview of the existing installation, potential risks, and recommendations for improvements. The information provided supports the Trinidad Water Advisory Committee's directive 1) to evaluate water needs of the City, 2) analyze potential options of water sources and infrastructure, and 3) assist the Council in pursuing water-related opportunities, including funding.

The City of Trinidad's Municipal Water Storage System

The City's water plant, storage, and delivery system have served the community for just under 50 years. Its purpose is to provide enough stored water to *balance demand* variations and position the water at the proper elevation to achieve desired *water pressure*.

The storage system consists of two 150,000-gallon redwood storage tanks, which hold roughly 285,650 gallons of water at the maximum storage level. Each tank is approximately 36'8" in diameter and 20' tall, with a maximum storage height of 18'. The water level in the storage tanks cycles daily between 14' and 18' with water generally at or above 12', or 120,000 gallons, to allow for water provisioning during emergencies. Water production ramps up when the level drops below 16'. Both tanks connect to the distribution system, and water flows back and forth between the tanks and the distribution piping.

Depending on the weather and the water levels in the tanks, the wood's condition can deteriorate and create leaks. However, the storage tanks have inspections every five years, the metal bands are tightened as needed to prevent leaks, and the current plant manager is not aware of any leaks at this time. The City's water tanks are on the east side of Westhaven Drive near Lark Lane, approximately 4500' from the water plant.



Storage Volume Requirements

There are three components to estimating required storage system volume. They are the working storage, fire storage, and emergency storage.

Working Storage

Working storage provides water to accommodate the daily variations in water use given constant water plant output. Within any day, there is less use during the nighttime hours than the daytime hours. The working storage provides water needed to equalize the daily variations in water demand. A generally accepted estimation method assumes that the working storage is equal to 30% to 40% of the maximum daily average water demand.

Fire Storage

Fire storage provides water for fighting fires. Water stored in the tanks is conveyed through the distribution system pipes and is available to firefighters through fire hydrants located throughout the City. The annual volume of water used for fire fighting is small, but the rate of use may be very high for several hours during fires. This peak usage results in the need for a relatively large volume of water reserves for fire fighting. For example, the City of Trinidad uses a flow rate of 1,500 gallons per minute (gpm) for 2 hours for planning purposes. That flow rate equates to 180,000 gallons of water, or 11.34 feet of water from the City's storage tank.

Emergency Storage (Other)

Emergency storage provides water if the treatment plant goes offline, a line breaks or for other emergencies. The emergency storage is typically estimated based on providing one to three days of additional water supply in storage.

Storage Volume Projections

The amount of additional storage recommended for the Trinidad system is the difference between the current storage and the estimated sum of required future working storage, fire storage, and emergency storage.

Current Storage Volume	285,000
Working Storage	32,000
Fire Storage	180,000
Emergency Storage	200,000
Sub-total	412,000
Additional Storage Needed	127,000
Additional Storage Needed (20 year adjustment of 15%)	146,000

Note: These figures are estimates only and need to be validated by engineering and City staff.

Issues and Risks with the Current Municipal Water Storage System

Aging infrastructure

There have been anecdotal reports of redwood tanks lasting up to 90 years, but the prevailing wisdom is for a life expectancy of 30-50 years. At this point, therefore, both tanks may be nearing the end of their service life.

Drought

Severe drought conditions could exhaust the City's stored water within 2-3 days leaving customers without access to tap water for drinking water and other household uses.

Storage Capacity

Current storage capacity is limited and may not meet today's standards for fire protection flows and other emergencies.

Tank's Location Relative to Water Plant

The long distance between the plant and storage tanks can reportedly cause chlorine residuals to drop below state standards.

Recommendations

New Water Tank (s)

In 2008, Winzler & Kelly, in their *Preliminary Engineering Report*, recommended that the City construct a new 500,000 gallon 'bolted steel' water storage tank, along with a new chlorine booster pump and recirculation pump, to "supplant the two existing 150,000-gallon redwood tanks." The estimated cost, including land for co-location nearby, was \$1,174,400.

Note: The Water Supply Feasibility Study (Winzler & Kelly, 2003) projected water usage in Trinidad to increase by 25% from 2001 to 2021 from 30 million gallons per year to 40 million. In fact, water usage appears flat at an average of 80,000 gallons per day or just under 30 million gallons per year in 2020. However, it would be prudent to plan for a 15-20% increase in water usage to allow for future buildout in undeveloped areas of the City's water service area.

Emergency Contingency Plan

Develop contingency plans for emergency water sourcing in a plant failure or severe drought. Consider leveraging Mill Creek water rights as a fire protection reserve.

Water Conservation

Encourage water conservation during severe drought (see the City's Drought Contingency Plan).

Residential Water Storage

Encourage citizens to store drinking water for emergency preparedness and to use rainwater catchment systems, where possible, for irrigation and landscaping during the summer months.

Pursue Grant Opportunities

Sources

GHD (2019). *City of Trinidad drinking water system model*.

GHD (2019). *City of Trinidad Conceptual Hydrological Assessment of the Luffenholtz Creek Watershed*.

GHD (2019). *City of Trinidad alternative raw water source evaluation*.

SHN (2019). *Water Demand Assessment*.

Winzler & Kelly (2008). *Preliminary Engineering Demand*

Winzler & Kelly (2003). *Water Supply Feasibility Study*

Interview with City of Trinidad Water Plant Manager, June 21, 2021.



JULY 22, 2020

IMPROVING THE TRINIDAD MUNICIPAL WATER SYSTEM: FIXING LEAKS

**Richard Clompus, Chair
Water Advisory Committee
City of Trinidad, CA**

PUBLIC WATER SYSTEMS FACE A NUMBER OF CHALLENGES INCLUDING AGING INFRASTRUCTURE

The City of Trinidad serves treated water to approximately 1,000 people within the City service area. The water system includes conveyance pipes, valves, fire hydrants, customer service meters and storage tanks. The system has been operated and maintained by the City since the early 1970's. The City's water delivery and storage system has served the City for close to 50 years.⁽¹⁾

The City withdraws on average about 2 million gallons of raw surface water each month from Luffenholtz Creek for public use.⁽²⁾ It is the sole source of water for its water customers. The creek water is filtered, chemically treated and pumped into two 150,000 gallon redwood tanks where it feeds the water distribution system powered by gravity. The municipal water distribution system consists of approximately 40,700 feet of pipe of various diameters (2 inch, 3 inch, 4 inch, 6 inch, 8 inch and 10 inch as follows:⁽²⁾

Pipe Diameter (inches)	Pipe Length (feet)
2	382
3	1,381
4	8,463
6	12,947
8	10,979
10	6,556
Total	40,708

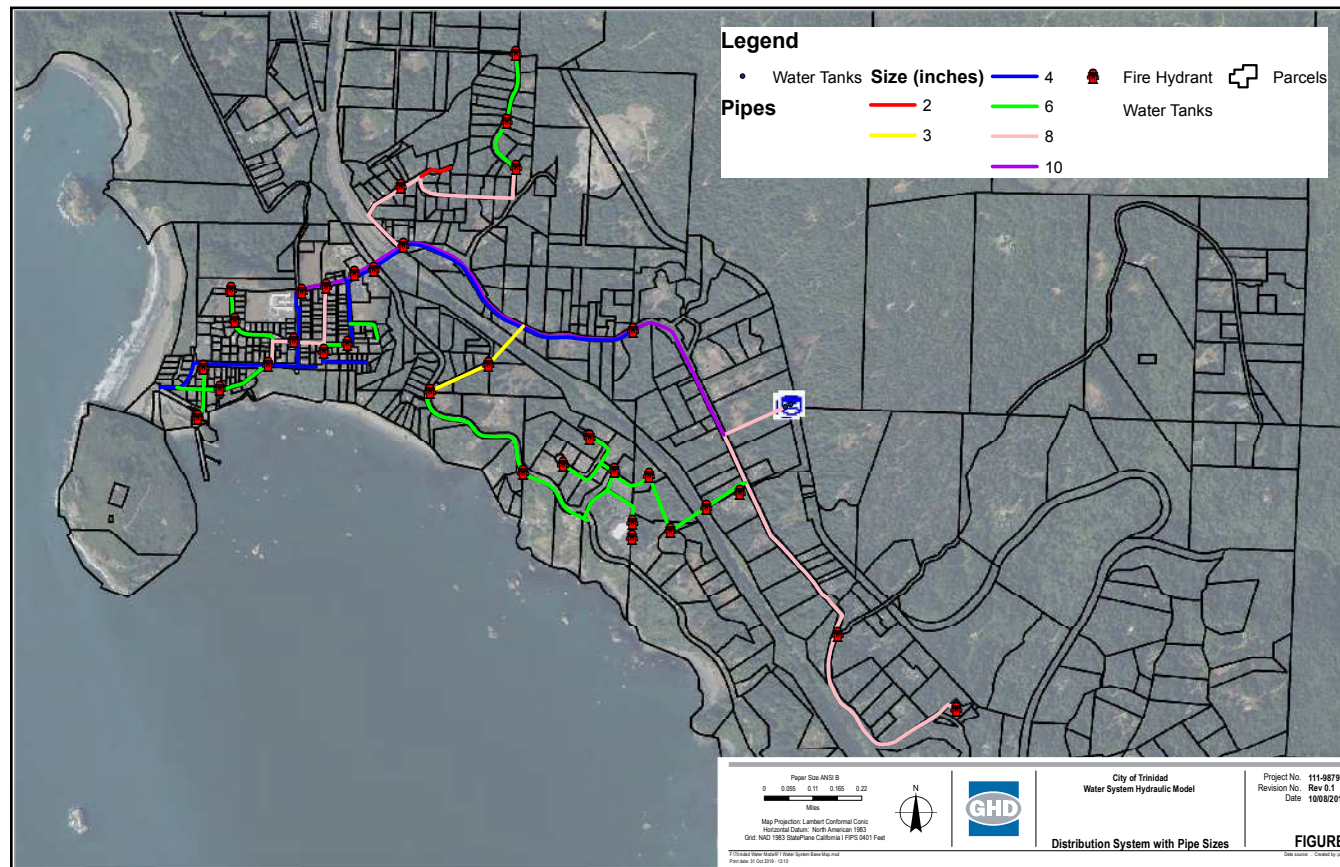
The City's distribution pipes are primarily constructed of asbestos cement (AC). This type of pipe was commonly used in mid-20th century water distribution systems because of its lightweight, low coefficient of friction and resistance to corrosion. However, after 50 years of service, it can become brittle and prone to leaks. Smaller diameter AC pipe has a greater likelihood of developing breaks or cracks compared to larger diameter AC pipe. Unfortunately, it has been discovered through scientific studies that people who consume water with high amounts of asbestos over extended periods may face an increased risk of developing benign intestinal polyps and an increased risk of cancer, including mesothelioma. Because of this, the U.S. Environmental Protection Agency (EPA) promulgated regulations to monitor the level of asbestos in drinking water with the Safe Drinking Water Act in 1974 and amended in 1986 and 1996.⁽³⁾

Under the Safe Drinking Water Act, asbestos is limited to 7 million fibers per liter (MFL) of water. There are several notable cases of AC pipe failure and potential health issues from detection of high levels of asbestos in the drinking water. The Town of Woodstock, NY experienced AC pipe issues in 1985.⁽⁴⁾ Devin, Texas, detected higher than normal asbestos levels in its water in 2016.⁽⁵⁾ Schools in Arp, Texas, faced issues with AC pipe last year.⁽⁶⁾ Eventually the concern over asbestos in drinking water ended new installation of AC pipe in drinking water systems, but it didn't necessarily require, or lead to, the replacement of existing AC pipe. When AC pipe reaches the end of its useful life, it will need to be replaced with new and safer pipe materials. In Trinidad, AC pipe has been replaced by PVC pipe in some locations of the system when repairs were made or line extensions were required.

The City is required to test for asbestos structures (>10 microns size) in drinking water every nine years. The most recent test was certified on 12-6-2019. No asbestos was detected.⁽⁷⁾ The report summary can be seen below. The next asbestos water test is due in 2028.

Test Report: Determination of Asbestos Structures >10µm in Drinking Water									
Performed by the 100.2 Method (EPA 600/R-94/134)									
Sample ID Client / EMSL	Sample Filtration Date/Time	Original Sample Vol. Filtered (ml)	Effective Filter Area (mm²)	Area Analyzed (mm²)	ASBESTOS				
					Asbestos Types	Fibers Detected	Analytical Sensitivity	Concentration	
									Confidence Limits
1912140-03C / SITE #4 091927358-0001 Collection Date/Time: 12/05/2019 10:30 AM	12/6/2019 12:00 AM	125	1322	0.0605	None Detected	ND	0.17 <0.17 0.00 - 0.65		

The following is a map of the water distribution system with pipe diameters in inches: ⁽¹⁾



REDUCING WATER LOSS

The amount of water the City processes each year varies by demand. The demand/usage is highest during the months of July and August. A water loss analysis was conducted by GHD, Eureka, CA, in 2019 that showed the following:⁽¹⁾

Monthly Water Pumped, Sold and Lost Summary Statistics, September 2012 through August 2019				
	Water Pumped (gallons)	Water Sold (gallons)	Water Lost (gallons)	Water Loss Percent
Minimum	1,354,490	1,040,922	123,795	8.9%
Maximum	3,314,731	2,434,805	1,117,590	40.1%
Average	2,105,045	1,542,084	562,960	26.6%

Water loss due to leakage is classified as non-revenue producing water (NRPW). The NRPW values for Trinidad are higher than typically expected for water systems of this type and indicate that there is a potential to reduce water demand by identifying and eliminating system losses. Possible causes for the water losses include the following: metering errors, Illicit connections, bulk water sales and leaks in pipes and connections.

The 2019 GHD report reviewed each of these four possible causes for water loss and concluded the following: ⁽¹⁾

“The most likely cause for the high water loss rate is leaks in old pipes and connections. The City has made several efforts to locate leaks from connections. They have hired independent leak detection services to isolate individual leaks. While minor leaks were identified and resolved these leaks would have had only minor effect upon the overall losses in the system. The City’s conveyance system of pipes is aging and much of it is constructed of AC (asbestos concrete) pipe. As this type of pipe ages it may become brittle and may form small leaks. When this occurs throughout the system the leaks can add up to a significant loss of water. The solution to this type of problem is to replace the old pipe. Leaks can be detected and sections prioritized for replacement by isolating sections of the system and measuring pressure loss over time.”

Feedback from Steve Allen, GHD engineer, Patrick Sullivan, GHD engineer and Patrick Kaspari, General Manager McKinleyville Community Services District indicated the following steps are most likely needed to initiate repair of leaky water pipes in a municipal water distribution system:

1. Leak testing to identify highest priority sections
2. Develop planning level estimate of distribution system replacement
3. Identify funding options and desired project budget
4. Identify schedule of repairs if multiple bid packages will be developed over multiple years
5. Design and environment review/permitting for project(s)
6. Bidding
7. Construction

The estimated time table to accomplish all steps before the City can begin repair or replacement of leaky pipes is about 12 months. Emergency repairs for major water system leaks would follow a quicker approval process.

FUNDING LONG TERM IMPROVEMENTS OF A MUNICIPAL WATER SYSTEM

McKinleyville Community Services District recently completed a water rate study that included provisions to modernize their water distribution system. It is designed to be a 50-75 year capital improvement project. The length of the project was determined by the useful life of the components of their water distribution system. The system will need to be replaced every 50-75 years as it wears out.

RECOMMENDATIONS

1. Trinidad’s water distribution system with its extensive use of asbestos cement pipes is aging and reaching the end of its useful life. A long-term capital improvement project should be initiated to make much needed improvements to the water distribution system by:
 - (a) identifying areas of greatest leakage and replace asbestos concrete pipe with PVC pipe
 - (b) replacing old valves and installing additional new valves to permit more control of water flow throughout the city
2. The water rate study scheduled for this year must include provisions to fund deferred maintenance to the City’s water system.
3. Portions of the City’s water reserve fund should be used to start the repair process while seeking state and federal grants. The recent SB129 includes funds for drought relief projects.

REFERENCES

- (1) Memorandum - Subject: City of Trinidad Drinking Water System Model, Reference Number 11198797, Patrick Sullivan & Steve Allen/GHD, October 29, 2019.
- (2) Memorandum - Subject: City of Trinidad Water Demand and Loss Analysis, Reference Number 11198797, Patrick Sullivan/GHD, September 6, 2019
- (3) The Safe Water Drinking Act (SWDA) 1974, www.epa.gov
- (4) Prose, Francine. "Woodstock: A Town Afraid to Drink Water," New York Times, April 13, 1986.
- (5) "Mandatory Language for a Maximum Contaminant Level Violation: MCL, Average/Asbestos," City of Devine, Texas, November 28, 2016.
- (6) Rivers, Brionna. "Arp ISD takes extra precautions after high levels of asbestos reported in city's water," KLTN, August 18, 2017.
- (7) Test Report of Asbestos Structures in Drinking Water, performed by the 100.2 Method (EPA 600/R-94/134), North Coast Laboratories, LTD, EMSL Analytical, Inc., December 6, 2019.

**Report, With Context, On Findings About Water From A Pipeline
From the Humboldt Bay Municipal Water District
Dwight Miller
August 10, 2021**

Background Discussion ... the context for researching additional water:

Why did most of the Water Advisory Committee vote to look again at additional water? And why HBMWD?

It starts with views about the adequacy of our current supply, Luffenholtz Creek.

Do you believe that Luffenholtz Creek may go “dry” soon ...in the next few years?

“Dry” for our usage means that the flow from Luffenholtz will fall below the state minimum required to pump to our water system.

Your answer means that you are placing a bet with major consequences for water customers and for fire protection. No one knows the best answer ... we can only bet on a choice with the least onerous outcomes and most likely gain.

If you decide NO, that Luffenholtz Creek will go NOT go “dry” soon, then:

1) You are betting that the risk level of NO WATER is acceptably low.

You are willing to bet that being wrong will not have huge consequences.

2) You have confidence in the future predictions of those who have assured you that Luffenholtz Creek will go NOT go “dry”.

What is the basis for the predictions that there is a low risk of Luffenholtz “dry”?

Previous years’ data and anecdotes ...

or

climate science ... recent computer models of the climate suggest that predictions based on recent-years’ data are becoming increasingly inaccurate.

(MICHAEL MANN, Penn State University climate scientist: (paraphrased): “If anything, things are going to get worse. The climate models need updating. Things are changing faster than current climate models predict.” Podcast, THE WORLD, 7/19/21 and

“What’s happening ...is that some of the impacts are playing out faster than we expected.” NPR Weekend Sunday, 7/25/21)

A POLICY CHOICE from deciding that Luffenholtz is at low risk of going “dry” is OPTION 1 in a list of some OPTIONS (next table ... to be discussed).

You should “harden” our current Luffenholtz supply by plugging leaks and building redundant storage tanks ...

This choice lowers the risk of “MORE WATER = GROWTH”, a concern expressed by many.

This choice increases the risk of NO-TAP-WATER and REDUCED ABILITY TO FIGHT FIRES.

There should be a debate about the relative damages posed by these risks. These concerns are not mutually exclusive... good people have expressed both views.

Do you **believe** that Luffenholtz Creek may go “dry” soon ...in the next few years?

If you decide **YES**,

1) You are betting that the risk level of NO WATER is unacceptably high.

2) You must decide to get additional water for the dry season.

That means adopting a plan that assures reliably steady and affordable dry-season water, as soon as possible.

This choice lowers the risk of fire damage (always unexpected) and of dry taps.

This choice increases the risk of “MORE WATER = GROWTH”, a concern expressed by many.

3) The following table lists possible POLICY OPTIONS to get additional water. They each have risks and consequences. The additional water of each of these options is equivalent: they each lower the risk of having no water, and they increase the concern that “MORE WATER = GROWTH”.

In the following table of options, please note that NONE of the presented options has current data to support their adoption. No current data was commissioned by the Council ... the Water Advisory Committee was asked, with limited resources and time, to do their best to recommend options.

To choose among these options, you, the Council, must be informed by as much data as you can.

Please direct paid staff resources to find:

- COST of each option
- TIME-to-implement each option
- The risks and consequences of each option for the residents of the City of Trinidad.

Also:

The Council can commission a study on how best to reconcile both additional water

AND

limit growth.

Of the 4 Water Policy Choices below, OPTION 1 means no additional water beyond our current supply.

OPTION 2 means additional water from Humboldt Bay Municipal Water District, as soon as possible ... consistent with the idea that if we bet that Luffenholtz may go “dry” soon, we’d better look for the quickest likely water. It is also a lower cost option than when it was previously researched (2004) because:

a) We can cost-share with the Trinidad Rancheria, IF we act quickly.

b) Most of the cost and time-to-completion estimates have been completed by the Rancheria’s staff. We could ask our engineers to check that data in much less time and expense than re-doing the evaluations.

I chose to investigate and report on OPTION 2 because it seemed the quickest and least cost access to additional water. I had no current engineering data for this choice, but an earlier 2004 report seemed a basis for thinking about near-term possibility. There was no data for the other options.

OPTION 3 is a serious proposal, but one deemed “untested” by many with whom I’ve talked, with many unknowns. The unknowns of cost and time-to-completion seemed considerable.

OPTION 4 is a delayed OPTION 2, suggested by many as a “backup” in case Luffenholtz does go ‘dry’. The time-to-completion and the likely additional cost, without a cost-sharing partner, would likely be greater than OPTION 2.

Trinidad City Water Policy Choices August 10, 2021

	Water Resource	Description	Costs	Time to Implement	Risks/Consequences
1	Luffenholtz Creek NOW	<ul style="list-style-type: none"> • Surface water is drawn from the creek and processed in City's water plant • Reduced creek flow due to extreme drought and the dry season may prevent the City from drawing water from this resource • Climate changes have exceeded historical prediction models 	<ul style="list-style-type: none"> • Unknown costs • During serious drought, Trinidad would be competing with larger cities for expensive trucked in water (if available) 	<ul style="list-style-type: none"> • Unknown time 	<ul style="list-style-type: none"> • Unacceptable fire and safety risk for small city • Increased competition for engineering, trucks and potable water during state wide drought emergency
2	Humboldt Bay Municipal Water District (HBMWD) NOW	<ul style="list-style-type: none"> • Potable water supplied via pipeline from McKinleyville to Trinidad water plant to supplement Luffenholtz Creek water 	<ul style="list-style-type: none"> • Pipeline cost would be shared with Trinidad Rancheria • Other costs unknown 	<ul style="list-style-type: none"> • HBMWD estimates 3-7 years to complete pipeline and connect to Trinidad water plant 	<ul style="list-style-type: none"> • Consistent clean water source for resident use and fire fighting • County land development is not controlled by City of Trinidad but limited by septic system requirements
3	Water Storage Uphill from Luffenholtz Creek FUTURE	<ul style="list-style-type: none"> • Multiple catchment ponds constructed uphill on private property to collect rainy season water and slowly leak into the ground to support dry season creek flow • Construct large uphill reservoir on private property with pipeline to City water plant 	<ul style="list-style-type: none"> • Unknown costs 	<ul style="list-style-type: none"> • Unknown time 	<ul style="list-style-type: none"> • Implementing this water supply model may still not provide sufficient water for Trinidad due to the impacts of climate change • County land development is not controlled by City of Trinidad but limited by septic system requirements
4	Humboldt Bay Municipal Water District (HBMWD) FUTURE	<ul style="list-style-type: none"> • The City of Trinidad would tap into the completed HBWD water pipeline engineered for the Trinidad Rancheria's water and fire safety needs 	<ul style="list-style-type: none"> • The City of Trinidad would be required to reimburse the Rancheria to cost-share the completed pipeline • Other costs unknown 	<ul style="list-style-type: none"> • Unknown time but more than HBMWD NOW option 	<ul style="list-style-type: none"> • There are likely no cost savings to hook up later to the pipeline • The City may be required to pay for their own pipeline with no cost sharing • County land development is not controlled by City of Trinidad but limited by septic system requirements

Summary of discussions and correspondence with Humboldt Bay Municipal Water District (HBMWD) between July 7 and August 3, 2021.

This summary will be followed by a timetable for Council and Staff actions between August 10 and September 9, 2021.

Emailed correspondence will follow as addenda to this summary.

June 21 – Phone conversation, Dwight Miller with John Friedenbach, General Manager of HBMWD. Miller asked whether HBMWD could provide any additional information about a pipeline project to Trinidad. Friedenbach politely said, no. Any additional info would require expenditure of staff resources by the HBMWD. His Board had instructed him to negotiate further with Trinidad if a City Council majority expressed an interest in doing so.

June 21 – follow-up email from Miller to Friedenbach requesting written responses to a few questions.

July 2 – Email from Friedenbach to the WAC.

He specifies that, “HBMWD would need a decision by the Trinidad City Council to participate in our feasibility effort [nearly concluding with the Rancheria]”. “The City Council needs to act expeditiously.”

“Once HBMWD enters into a Mainline Extension Agreement with the Trinidad Rancheria, the City of Trinidad would have to deal directly with the Rancheria and obtain their approval for any modifications to their waterline extension project.”

He clarifies some questions about capacities of different sizes of pipe but notes that the questions are “... irrelevant since minimum fire flow laws require a 6” water line.”

July 12 - Phone conversation, Miller with Friedenbach. Miller noted that a WAC meeting was scheduled for July 14 and asked, “was there any additional info from HBMWD?”

Friedenbach replied that HBMWD would probably be ready at its August 12 Board meeting to consider a contract for the pipeline with the Rancheria (and the McKinleyville CSD, which approves extensions from the HBMWD pipe).

Miller and Friedenbach then discussed a tight timeline [follows this Summary] which would preserve Trinidad’s option of partnering with the Rancheria at this time.

Friedenbach noted that approval later would likely be more expensive because pipe dimensions were specified to the Rancheria’s needs, and additional needs for Trinidad would require re-calculation. The pipe might be sized too small for additional needs, and Trinidad might need to pay for an additional pipeline.

July 26 – WAC members Richard Clompus and Miller met with Friedenbach at HBMWD. We asked for any additional info to help with the WAC report to the City Council.

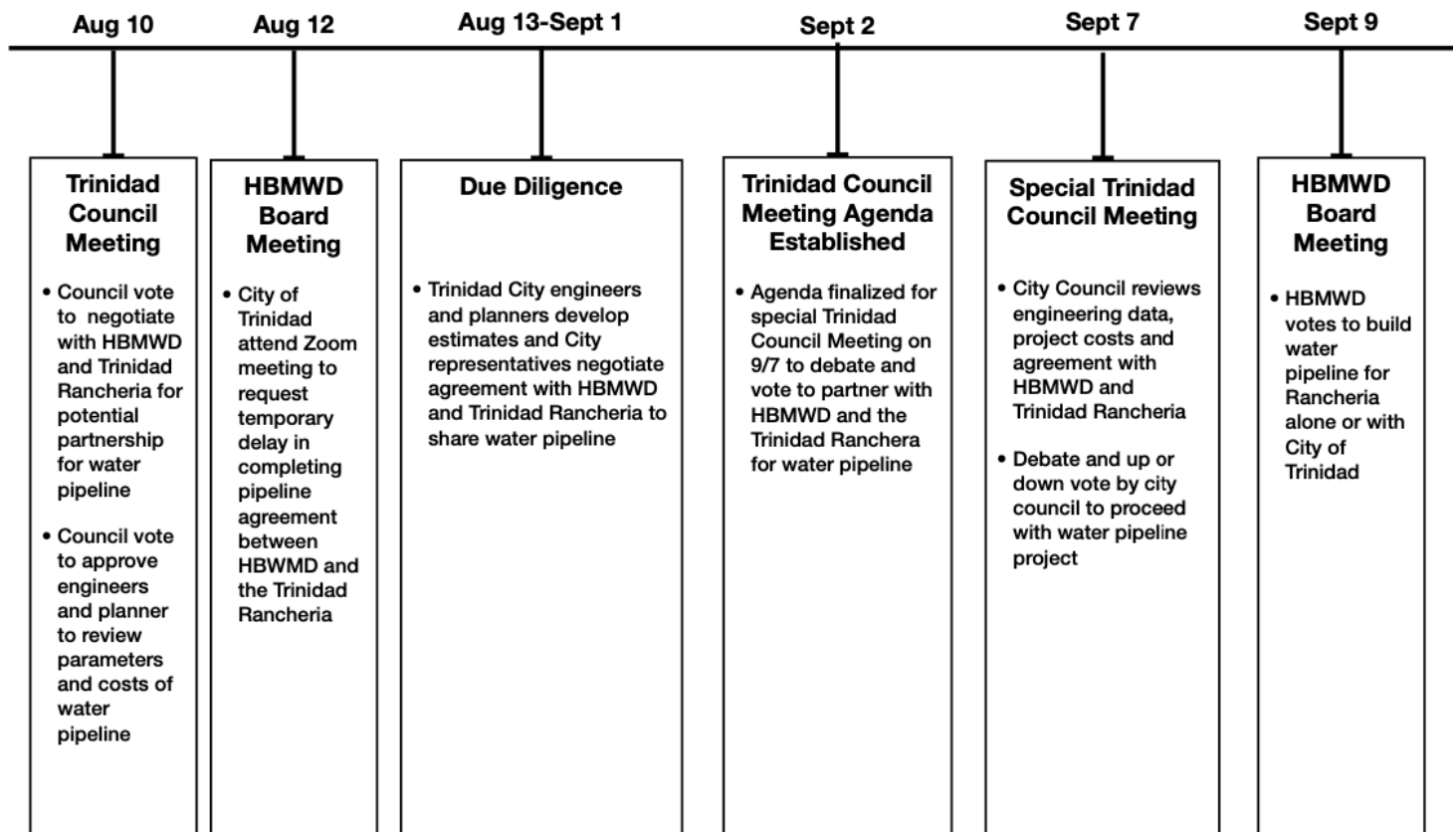
Friedenbach noted that after completion, ownership of the pipeline would revert to HBMWD, but that “...if Trinidad wished to join later, Trinidad would need to reimburse the Rancheria for a share of its costs.”

July 27 – Email from Friedenbach to Miller. Info about HBMWD’s preliminary analysis of a pipeline to the Rancheria was provided. He suggested that the City Council could request our City Engineer to use (considerable) attached info leading to a quote for services by the HBMWD to the City.

Essentially, HBMWD outlined how a 3-week study period might lead to a partnership for a pipeline with the Rancheria. The documents attached would greatly assist our Engineer to verify pipe sizes, connection points, or other requirements.

All of the discussions and emails focus on a timeline to be considered by the city Council:

City of Trinidad Water Resiliency Timeline





D Miller <dmiller6@gmail.com>

HBMW for Trinidad ... planning for another look by the Trinidad City Council

1 message

Dwight Miller <trinidad.miller@gmail.com>

Mon, Jun 21, 2021 at 4:39 PM

To: John Friedenbach <friedenbach@hbmwd.com>

Cc: Paula Levine <puzzpaula@gmail.com>, Richard Clompus <rclompus@trinidad.ca.gov>, Dwight Miller <trinidad.miller@gmail.com>

Hello John-

Thank you for the time you took this morning, discussing the vagaries of Trinidad's water decisions vis-a-vis HBMWD.

I failed to note a specific communication that Paula Levine sent me a week ago ... I found it while reviewing correspondence with her. She wrote:

"Mr. Friedenbach (HBMWD) has offered to write a written description [as stated in phone conversations] detailing the purpose and cost of the proposed "Feasibility Study" that was hotly argued at a past City Council meeting at the request of any WAC or Council member."

The **WAC** abbreviation in her memo to me is our just-established **Water Advisory Committee**.

She also wrote:

"Have a WAC member volunteer call Mr. Friedenbach, request the letter, and post the letter in City Documents. The important reasons for this: It may answer public concerns about wasting money on unnecessary reports, it may provide useful information to help WAC achieve its mission, and it may provide critical information about missing an important deadline. It will take a few moments of WAC time."

Pursuant to Paula's suggestion, I am the WAC member who is requesting such a letter, and we will post it in City Documents.

I imagine that a simple focused response is best. In addition to whatever simple description of what HBMWD would do, with "ball-park" estimate of cost study, related to connecting with a planned line to the Rancheria, please note some specifics about water volume (or rate) deliverable by specific line diameters. Perhaps you (or staff) can address [Steve Madrone's estimates](#) in a recent email reply to our WAC:

"the HBMWD Manager said last week at his board meeting that they would likely use a 6" or 8" pipe to Trinidad Rancheria. A 2" pipe can deliver 1,224,000 gallons per day. A 4" pipe can deliver 4,896,000 gpd. The City uses on average 90,000 gpd and the

rancheria at buildout is estimated to use 40,000 gpd. So as you can see if with a 2' pipe there would be enough water for the Rancheria, Trinidad, Westhaven and Pats Pt [Patricks Point]. That excess capacity of even a small pipe is the stuff of growth inducement."

Are his numbers correct? And, you might note in your reply, as you noted in our phone conversation, that population growth control has many more tools than just water volume: zoning, sewage/septic limitations, etc.

Also, can you address the possibility of a really small pipe to Trinidad that would not be a direct replacement of our current consumption, but would be a base emergency amount that we could use to "get by" when Luffenholtz supply is not available, but which would be a minimal portion of our normal consumption when Luffenholtz is flowing?

In our call today, you were very clear that the next step for further planning between Trinidad and HBMWD would be a formal decision by the City Council to request a Feasibility Study by the HBMWD. You would then need to get permission from your Board to proceed.

My request here is for a letter, as noted by Paula (above), that we can post as part of our WAC report to the Council, urging them to **collect data on all options** before deciding our water future.

Thank you for your efforts,

Dwight Miller
Member, Trinidad Water Advisory Committee
Former Mayor and former City Councilor
cell: 646-703-4836



HUMBOLDT BAY MUNICIPAL WATER DISTRICT

828 SEVENTH STREET, PO BOX 95 • EUREKA, CALIFORNIA 95502-0095

OFFICE 707-443-5018 ESSEX 707-822-2918

FAX 707-443-5731 707-822-8245

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Website: www.hbmwd.com

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DAVID LINDBERG, DIRECTOR

GENERAL MANAGER

JOHN FRIEDENBACH

July 2, 2021

Water Advisory Committee (WAC)

City of Trinidad

Via Email to Dwight Miller: trinidad.miller@gmail.com

Dear Mr. Miller:

During our telephone conversation on June 21, 2021, you posed several questions regarding HBMWD's water supply and availability. Additionally, you requested some information from the HBMWD about how to re-initiate conversations between the City of Trinidad and HBMWD regarding possible water supply. The following is provided in response to your inquiries.

I explained to you that the Trinidad City Council had voted twice to not participate in the feasibility study regarding a possible water mainline extension from McKinleyville CSD to the Trinidad Rancheria. HBMWD would need a decision by the Trinidad City Council to participate in our feasibility effort. This may be a mute issue as we have concluded our internal study and preliminarily determined the necessary pipeline size to supply the Trinidad Rancheria with their site buildout water demand. Obviously, a pipeline to the Rancheria has not been constructed, but as they say, the train is leaving the station. If the Trinidad City Council wants any possibility to join in a mainline extension project, they need to act expeditiously.

You also requested that several questions from the WAC be addressed.

1. How soon, from now, would HBMWD need for a City Council request-to-study to ensure a minimal estimate, before plans are finalized for the likely extension of HBMWD water to the Trinidad Rancheria?

As I state above, we have completed our internal analysis of the pipe size necessary to service the Trinidad Rancheria based on their project specific water demand needs. Any incremental project sizing costs to accommodate water demand by the City of Trinidad would need to be borne by the City. We can provide our preliminary calculations to the City and it can engage the services of an engineering firm to perform the necessary calculations for incrementally sizing the preliminary draft project pipeline size of the Rancheria to suit the City's water needs. Furthermore, once HBMWD enters into a Mainline Extension Agreement with the Trinidad Rancheria, the City of Trinidad would have to deal directly with the Rancheria and obtain their approval for any modifications to their waterline extension project.

2. What is the minimum-sized line that could "T" from the proposed Rancheria line to supplement the present Trinidad supply from Luffenholtz Creek? The question addresses the concept of minimal supplementary water in times of severe drought, when Luffenholtz Creek is "dry" for Trinidad's needs, since Trinidad is required to spill some water for riparian needs.

That was the question that we had hoped to answer by engaging the City of Trinidad in our initial feasibility study. The City Council voted twice to not participate. So, the answer to this question remains unknown and until the Council reverses its previous decisions, will remain unanswered.

3. What is a simple estimate of the range of costs to study a "T" from the proposed Rancheria line to supplement the present Trinidad supply from Luffenholtz Creek? This question would have been answered by engaging the City of Trinidad in our initial feasibility study. The City Council voted twice to not participate. So the answer to this question remains unknown and until the Council reverses its previous decisions, will remain unanswered.

4. The debate about additional water for Trinidad has often focused on calculations of how much water would be transported at nominal pressure by a 2" pipe, or a 4" pipe. Calculations from Supervisor Steve Madrone, in a recent email to the WAC, estimate that:

"A 2" pipe can deliver 1,224,000 gallons per day. A 4" pipe can deliver 4,896,000 gpd. The City uses on average 90,000 gpd."

The WAC requested estimates of water delivery capacity, 2" and 4" pipes, by HBMWD staff, for comparing calculations and methods.

We have made initial computations for volume delivered through a 2" or 4" pipeline assuming system pressure of 94.0 psi and the pressure at the exit at atmospheric pressure of 14 psi. This results in an operating pressure of 80 psi. Using these assumptions, and no others, such as: how pressure is maintained through elevation changes, change in velocity due to pipe friction loss, distance of pipeline, back pressure or any other hydraulic factors affecting volume calculations, we calculate that a 2" line would produce approximately 271,000 gpd and a 4" line would produce approximately 383,000 gpd. Obviously, this is an over simplified computation. And one that is somewhat irrelevant since minimum fire flow laws require a 6" water line.

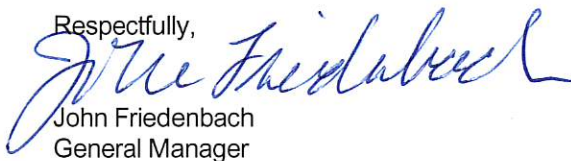
5. Additionally, the WAC requested comments from HBMWD staff about:

5a. the importance of collecting data on all options for water studies? The City of Trinidad has commissioned several professional engineering studies to address this question. I respectfully refer you to the September 6, 2019 GHD Memorandum titled: "City of Trinidad alternative raw water source evaluation".

5b. When significant population growth concerns a municipality, what additional factors besides limiting water should be considered as tools to control growth? The primary tools utilized by municipalities to control growth are planning and zoning restrictions including lot size, sewer / septic restrictions. Water is only one component. It is my understanding, based on testimony that was provided at the previous two City Council meetings on this topic, that the City has virtually achieved full buildout within its city limits. Therefore, any additional growth outside the City Limits would need to be authorized by the Council for waterline extensions/service.

I appreciate the WAC's interest in this topic, however, until the City Council votes to initiate participation with HBMWD, it is not efficient for additional staff time to be expended on this topic.

Respectfully,



John Friedenbach
General Manager

Cc: Sheri Woo, HBMWD Board President
Eli Naffah, Trinidad City Manager



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DAVID LINDBERG, DIRECTOR

GENERAL MANAGER

JOHN FRIEDENBACH

July 27, 2021

Mr. Dwight Miller
Water Advisory Committee
City of Trinidad
Via Email: Trinidad.miller@gmail.com

Dear Mr. Miller,

I am providing copies of the information that you requested during our meeting. As we discussed, HBMWD internal staff have completed our analysis of the possibility of extending a water transmission mainline from McKinleyville CSD's northern most point of their distribution grid to the Trinidad Rancheria. This is NOT an engineering estimate nor engineering calculation and should not be used for design nor construction purposes. It is only intended to be used as a point of discussion for the feasibility of a potential project. That said, I am willing to share with your committee this information to assist your City Council in its deliberations on this topic.

Should your Council wish to utilize this preliminary information, I respectfully suggest the following process:

Request that your City Engineer use this information to provide a quote for services to the City for:

- a. them to analyze and verify the calculations.
- b. determine what incremental pipe size may be required if the City chose to utilize the water transmission line to satisfy the City's water demand, including fire suppression.
- c. determine where the most logical connection point to the City's water system should be, given that the water transmission line will most likely follow the Highway 101 corridor.
- d. any other questions / requirements that the City may need to further its analysis.

As previously communicated to your committee, our timeline is as follows. At our August 12th Regular Board meeting, our directors will be considering entering into a Mainline Extension agreement with the Trinidad Rancheria. Once that is approved, the project will then be in the control and direction of the Trinidad Rancheria until it is fully constructed. Any request by the Trinidad City Council to join the project will need the approval of both the Trinidad Rancheria and the Humboldt Bay Municipal Water District.

If the City of Trinidad chooses to wait until the mainline extension is fully constructed and then requests to tie in, there are several factors to consider. First and foremost, the line that will be constructed will only be sized to serve the water demand of the Trinidad Rancheria. Adding the City's water demand will undoubtedly require that some portion of the waterline to be upsized. This could be accomplished; however, the cost would be dramatically increased over what the cost would be if the City joins the project at its initial design and construction phases. Furthermore, the City will be responsible for 100% of these increased costs. In addition, the time at which the City would realize the benefit from the reliable water source would unnecessarily be delayed to a more distant point in the future than if the City had joined the project now. As the project is conceived currently, it is likely to take a minimum of 3 to 7 years to complete.

If you have any other questions, please do not hesitate to contact us.

Respectfully,



John Friedenbach
General Manager

Cc: Sheri Woo, HBMWD Board President
Eli Naffah, Trinidad City Manager

HBMWD Internal Memo Regarding Calculation Assumptions

May 14, 2021 email from Dale Davidsen

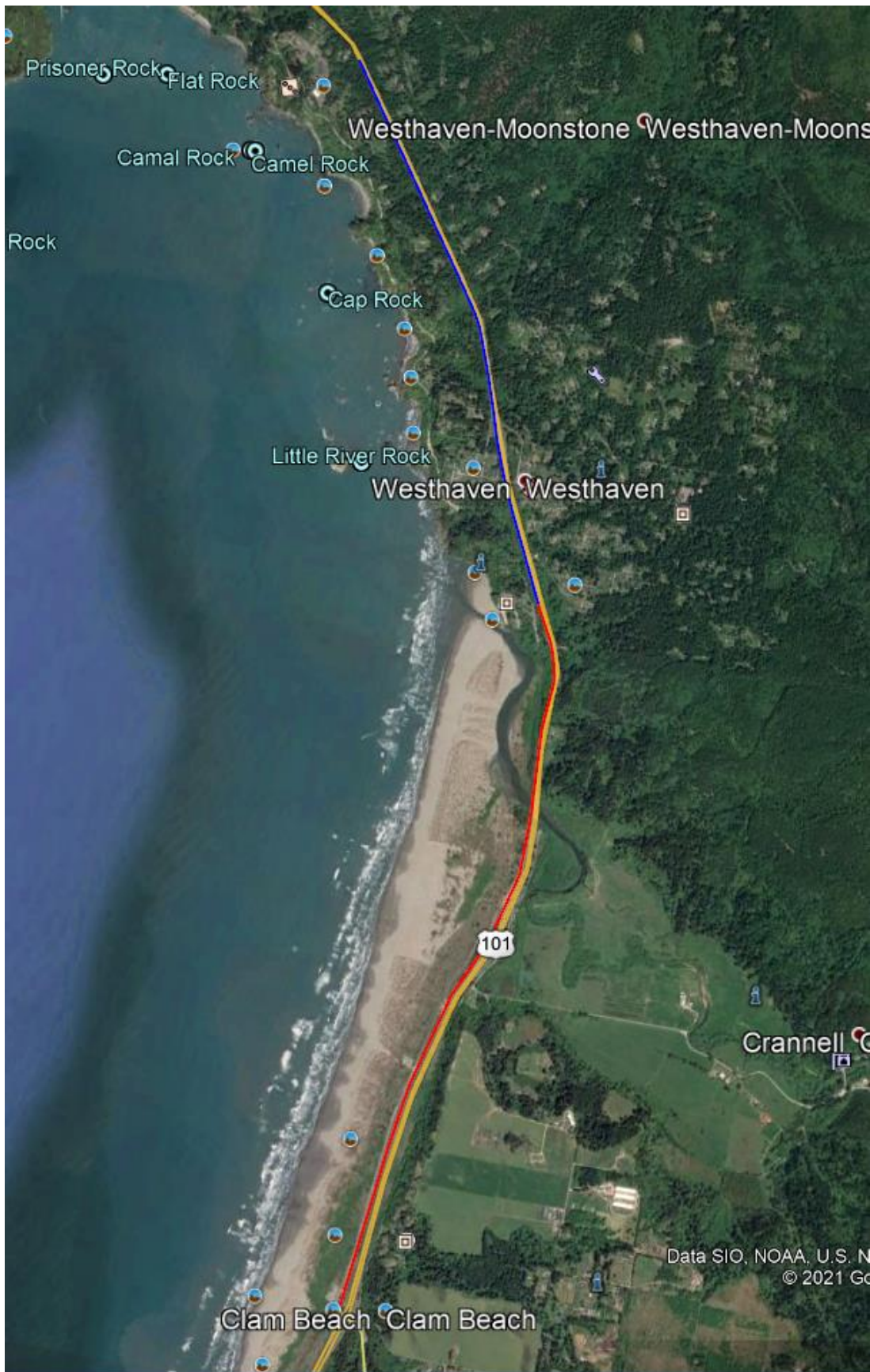
John,

See attached information. There are a lot of assumptions in this as the route and elevations have not been determined. I use the 6" line at Clam beach as the starting point for this exercise. And I see there is a 8" pipe line feeding this 6" line not too far upstream. With an engineering look, it may be better to upsize this 6" section under the freeway to 8". Starting at the 12" pipeline option might make more sense if the 8" pipeline is preferred. C-factor for pipe fittings and valves have not been calculated, only the run length. And as you can see, on the smaller pipelines the C-factor is huge. Since there is 95 PSI at Clam Beach, the Clam Beach BPS could possibly be eliminated but the other booster pump station would need to be much lower in elevation and pump size would increase. A couple of the reasons I located the BPS near Moonstone is the possibility of power being nearby and roughly in the middle elevation wise. I used pump curves I could find online without "registering" with a manufacture to access their data. I am sure these are not the ideal pumps but at least it gives us an idea of needs. I attached a map of the pipeline route calculated in the spreadsheet, and pump curves I used.

Call me and I will explain the spreadsheet.

Dale Davidsen, Superintendent
Humboldt Bay Municipal Water District

PRELIMINARY DRAFT – FOR DISCUSSION PURPOSES ONLY



Red Line – Mainline extension from MCSD to booster pump station.

Blue Line – Mainline extension from booster pump station to Trinidad Rancheria storage tanks.

Yellow Line – Highway 101.

PRELIMINARY DRAFT - NOT FOR CONSTRUCTION PURPOSES

PRELIMINARY DRAFT - NOT FOR CONSTRUCTION PURPOSES

		6 Inch line					8 Inch line		
		Minutes	GPM				Minutes	GPM	
Time / GPM		120	315				120	315	
Velocity		3.6 Ft/S					2.0 Ft/S		
		PSI	Feet Head	Flow GPM			PSI	Feet Head	Flow GPM
Section 1	Clam Beach inlet PSI	95	219.5			95	219.5		
	Clam beach BPS outlet. PSI	120	277.2	375		120	277.2	375	
	C-factor Head loss from Clam beach to MS BPS. PSI	39.5	91.2			9.75	22.5		
	Elev. / Head loss PSI	58.5	135.0			58.5	135.0		
	Section 1 PSI Head loss	98.0	226.3			68.2	157.6		
	MS BPS Inlet. PSI	22.0	50.9			51.8	119.6		
Section 2	MS BPS outlet. PSI	120	277.2			120	277.2		
	C-factor Head loss from MS BPS to Rancheria Tank. PSI	34	78.5			8.5	19.6		
	Elev. / Head loss PSI	57.2	132.0			57.2	132.0		
	Sec 2 total Head loss	91.2	210.6			65.7	151.7		
	Rancheria Storage tank elevation PSI	29	66.6			54	125.5		
		Feasible				Feasible			
		Recommended options							

MEMO

August 6, 2021

TO: Water Advisory Committee

FROM: Mayor Steve Ladwig

Request that the Water Advisory Committee address the tasks of exploring the rest of the resiliency measures that are out there, namely in no particular order:

- investing in the water plant to increase its efficiency,
- exploring water storage for non-drinking water on individual's property,
- connecting Trinidad and Westhaven's water systems for backup,
- putting in recharge ponds up in the watershed, and
- extracting water at the springs.



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

3. Discussion/Action Item regarding Water Advisory Committee recommendation to Request Humboldt Bay Municipal Water Consideration of City of Trinidad in Waterline Extension Project/Analysis.

3. Discussion/Action Item regarding Water Advisory Committee Recommendation to Request Humboldt Bay Municipal Water District Consideration of City of Trinidad in Waterline Extension Project/Analysis.

The timeline for this motion considers the following:

- For the August 12 meeting of the HBMWD Board, an agenda item has been proposed to sign a contract for a pipeline with the Rancheria, to be paid by the Rancheria, and
- During public debate of that contract, the HBMWD Board could decide to table that contract vote for one month, to allow Trinidad time to determine parameters for sharing in that pipeline, and
- The contract for either a Rancheria-alone pipeline, or a Rancheria/Trinidad City pipeline, would likely be voted by the HBMWD Board at their September 9 meeting.

MOTION:

- NOW THEREFORE BE IT RESOLVED THAT the Trinidad City Council wishes to consider sharing in a pipeline with the Rancheria, and
- The Trinidad City Council will send City representatives to the Board meeting, August 12, 2021, of the Humboldt Bay Municipal Water District (HBMWD), and
- Those representatives will request a one-month delay for signing of a HBMWD contract, with the Trinidad Rancheria and the McKinleyville Community Services District, to build a pipeline from McKinleyville to the Rancheria, and
- The Trinidad City Council requests until September 2nd, 2021, for City Staff to determine the costs, time-to-completion, and other contractual issues sufficient for a decision by the City Council on participating in that contract, at a Special Meeting on September 7, 2021.



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

4. Discussion/Decision regarding Resolution 2021-09; Approving Financial Assistance Application from DWSRF for Water System Planning

AGENDA ITEM

Date: August 10, 2021

Item: Water System Funding Assistance

The City periodically applies for grant to fund water system repairs and improvements. Current water system priorities identified by staff include a constructing a water main to replace the failed Van Wycke water main, increasing water storage capacity and replacing older and leaking water pipes. Ideally, the City's \$1 million in water fund reserves would be used to leverage grant and loan funding water system maintenance and capital improvements. Having a complete Capital Improvement Plan is essential to securing water system grant and loan funding.

The City applied for USDA Grant funding to develop a Preliminary Engineering Report (PER) for the Van Wycke/Edwards St. water main replacement, however USDA has communicated to staff that because the Water System has \$1 million in reserves, the City can't demonstrate financial need for \$30,000 for the PER. The USDA representative suggested the City complete the PER and environmental documentation then apply for USDA implementation funding. He also suggested that the City begin implementing a capital improvement plan and obligating reserve funding to specific projects. To that purpose, staff recommends engaging in planning for long term water system resilience and capital improvements.

Staff has initiated a \$500,000 grant application to the Drinking Water State Revolving Fund (DWSRF) for water system planning. Proposed Project Objectives: 1) Develop plan of study; 2) Develop water distribution system operations plan and map; 3) Develop a Capital Improvement Plan and identify near-term and long-term capital projects to increase system reliability and resiliency; 4) Engage in regional water resiliency planning; 5) Develop concept design on priority near-term projects and plan identified hazard mitigation projects; 6) Complete supporting environmental studies for CEA and federal environmental compliance; 7) CEQA Mitigated Negative Declaration; 8) Prepare DWSRF Construction Application for priority projects.

A resolution to designate the Authorized Representative(s) for the project, who will have the authority to sign and submit the DWSRF application materials, certify compliance with applicable state and federal laws, execute the financial assistance agreement and amendments, and certify disbursement requests. Staff will need technical assistance to complete the application process and recommends approving a scope of services with GHD for financial application assistance not to exceed \$5,000.

Staff Recommendations:

- Authorize staff to negotiate and execute an agreement with GHD not to exceed \$5,000 to provide grant application assistance for a Drinking Water State Revolving Fund grant.
- Adopt Resolution 2021-09, Approving a Financial Assistance Application and Execution of Financial Assistance Agreement.

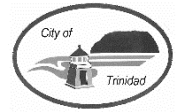
Attachments:

- GHD Scope of Services for Financial Application Assistance

- Resolution 2021-09

Trinidad City Hall
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
707-677-0223

Steve Ladwig, Mayor
Gabriel Adams, City Clerk



RESOLUTION 2021-09

A RESOLUTION BY CITY COUNCIL OF THE CITY OF TRINIDAD **APPROVING A FINANCIAL ASSISTANCE APPLICATION AND EXECUTION OF FINANCIAL** **ASSISTANCE AGREEMENT**

WHEREAS: The City of Trinidad has initiated a \$500,000 grant application to the Drinking Water State Revolving Fund (DWSRF) for water system planning. Proposed Project Objectives: 1) Develop plan of study; 2) Develop water distribution system operations plan and map; 3) Develop a Capital Improvement Plan and identify near-term and long-term capital projects to increase system reliability and resiliency; 4) Engage in regional water resiliency planning; 5) Develop concept design on priority near-term projects and plan identified hazard mitigation projects; 6) Complete supporting environmental studies for CEA and federal environmental compliance; 7) CEQA Mitigated Negative Declaration; 8) Prepare DWSRF Construction Application for priority projects.

NOW THEREFORE RESOLVED BY THE TRINIDAD CITY COUNCIL; The City Manager (the "Authorized Representative") or designee is hereby authorized and directed to sign and file, for and on behalf of the Entity, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the Water System Planning Grant.

This Authorized Representative, or his/her designee, is designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto. The Authorized Representative, or his/her designee, is designated to represent the Entity in carrying out the Entity's responsibilities under the financing agreement, including certifying disbursement requests on behalf of the Entity and compliance with applicable state and federal laws.

APPROVED AND ADOPTED by the **TRINIDAD CITY COUNCIL** of Humboldt County of the State of California this 10TH day of August, 2021.

I do hereby certify that the forgoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the Trinidad City Council held on August 10, 2021 by the following vote:

Ayes:
Nos:
Absent:
Abstain:

Attest:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor

718 Third Street,
Eureka, California 95501
United States
www.ghd.com



July 30, 2021

Mr. Eli Naffah
City of Trinidad
P.O. Box 390
463 Trinity Street
Trinidad, CA 95570

Scope of Services for Project Planning / Design: Drinking Water State Revolving Fund

Dear Eli,

Thank you for providing GHD with the opportunity to continue to assist the City of Trinidad (City) with addressing improvements the City's drinking water infrastructure. Under the Drinking Water State Revolving Fund administered by the State Water Resources Control Board, the City may be eligible for up to \$500,000 in water system resiliency and capital improvement planning and design funding.

Please find attached GHD's scope of services to assist the City to apply for funding and if funded, develop the planning documents necessary to address the City's concerns regarding water system resiliency and capital improvements planning.

Please feel free to contact us with any questions regarding this scope of services. On behalf of our team, thank you for your consideration, and we look forward to being part of the implementation of these important projects.

Regards,

A handwritten signature in blue ink, appearing to read "Rebecca Crow", with a long, sweeping horizontal line extending to the right.

Rebecca Crow, PE
Technical Director
+1 707 497-9294
rebecca.crow@ghd.com

**SCOPE OF SERVICES
CITY OF TRINIDAD
DRINKING WATER STATE REVOLVING FUND PROJECT**

Introduction

This agreement for services relates to a prime agreement dated March 13, 2019. All provisions of the prime agreement apply to this scope of services unless specifically stated otherwise. This scope is to apply for funding, and if funded, develop the planning and design documents necessary to address the City of Trinidad's (City) drinking water system operations, storage, and distribution concerns.

The City is pursuing grant funding for the planning and design of improvements to the drinking water system infrastructure. According to City staff and operator, and well as reviews by the City engineer, the current system includes components that are outdated and in need of replacement to meet the needs of the community and operational improvements are needed to improve system efficiency.

Some of the specific areas of need identified include the establishment of a Capital Replacement Plan which would likely include such improvements such as constructing a water main to replace the failed Van Wycke water main, increasing water storage capacity and replacing older and leaking water pipes. The cost of capital replacement needs could then be used in system rate planning and projections.

The intent of this scope of services is to provide the necessary support to submit a competitive application for planning funding available under the Drinking Water State Revolving Fund (DWSRF) administered by the State Water Resources Control Board (SWRCB). Upon potential award of grant funding, subsequent tasks would be completed to develop the necessary planning and design documents for future implementation.

Scope of Services

The following tasks define our scope of services:

Task 1 – DWSRF Planning/Design Application

In this task GHD will work with the City to submit a planning application under the DWSRF. GHD will work with the City to develop the application package consisting of project information, proposed schedule, managerial information, technical package, environmental package, financial security package, and supporting documentation.

Deliverables:

- Draft Application Package, including Scope and Budget for City Review
- Final Application Package

Task 2 – DWSRF Planning/Design Application

The list below provides the City's outline for the Plan of Study that will be included with the DWSRF grant application.

- Update water distribution system mapping, condition assessment, and operations plan
- Develop a Capital Replacement Plan and identify near-term and long-term capital projects to increase system reliability and resiliency
- Engage in regional water resiliency planning
- Develop Preliminary Engineering Report for concept design for priority near-term projects and plan identified hazard mitigation projects
- Complete supporting environmental studies for CEQA and federal environmental compliance
- CEQA Mitigated Negative Declaration
- Prepare DWSRF Construction Application for priority projects

The final scope and fee will be determined in conjunction with the City during the application development process.

Exclusions and Additional Services

This scope of services is based on the following assumptions and exclusions:

- GHD does not guarantee grant award.
- The City of Trinidad will provide requested information for the funding application in a timely manner, including financial audits, rate information, budget and capital improvement planning information
- This scope does not include follow up responses to the SWRCB greater than 3 months after final application submittal to the SWRCB.
- Additional services beyond what is included in this scope can be provided at the City's request under a separate scope and budget.

Estimated Project Schedule

The Draft Application Package in the Task 1 scope of services presented above can be completed within one (1) month of receiving the notice to proceed from the City. Once all requested documents and reviews are provided by the City the final application can be submitted to the SWRCB. The timing of SWRCB potential grant award is outside the control of GHD and the City, and thus Task 2 can be completed after.

Budget

Task 1 above will be completed for a lump sum fee of **\$5,000**. Invoices will be prepared monthly based on the percentage of services performed. Invoices are due and payable by the City within 30 days. Task 2 will be completed on a time and materials basis using the fee schedule in effect at the time the City is able to enter into a contract with GHD if the City receives a SWRCB funding agreement.

Table 1 **Budget Summary**

Task Description		FEE
Task 1	DWSRF Planning/Design Application	\$ 5,000
Task 2	DWSRF Plan of Study Completion	To Be Determined

AGREED

City of Trinidad

GHD Inc.

Eli Naffah
Trinidad City Manager

Date

Steven Allen,
Managing Principal

Date



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

5. Discussion/Decision regarding Trinidad Head Trail Sign recommendation from the Trails Committee.

[Print](#) | [Close Window](#)

Subject: Agenda item 5 - Trinidad Head Sign

From: "Trinidad City Manager" <citymanager@trinidad.ca.gov>

Date: Fri, Aug 06, 2021 12:46 pm

To: "Gabe Adams" <cityclerk@trinidad.ca.gov>

Attach: ~WRD000.jpg

Gabe:

>>>>> For page 1 of Agenda Item 5, use the link below from Carol Vander Meer (Trinidad Head Sign Layout):



--

Carol Vander Meer, Executive Director

Trinidad Coastal Land Trust

Office: 677-2501, Cell: 834-4113

carol@trinidadcoastallandtrust.org

[TrinidadHeadSignLayout-30x20f.jpg](#)

The link below is from the 07-20-21 Trails Committee packet:

[07-20-2021 Trails Committee Packet.pdf \(ca.gov\)](#)

>>>>>For page 2 of Agenda Item 5, use the Minutes VI.3. from the bottom of pg. 3 thru most of pg.4 of the Trails Committee Packet.

>>>>>For pages 3-6 of Agenda Item 5, use pages 9-12 of the Trails Committee Packet.

I'm in the office if you have questions or need my help.

Thanks,
Eli

Eli Naffah
City Manager
City of Trinidad
(707) 677-3876
P. O. Box 390
Trinidad, CA 95570

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Saul and Mau standing in the Tsurai Village in 1900. Mau, on the right, was a male leader and medicine man of the Tsurai Village. Saul was his lifelong best friend.

Aiy-ye-kwee Natamer Hello Friends

WELCOME to the TSURAI TRAIL.
This rocky headland is known as
TSUREWA to the Tsurai People.



Common Murres lay pear-shaped eggs designed to roll in a circle and stay in place on bare rocky ledges.



Pigeon Guillemots are black, with white patches on their wings.



Cormorants are experts at catching fish as deep as 150 feet under the surface.

The Tsurai people believe that a young man from Tsurai, once told his sister he would like to see a pretty hill created here. The young Tsurai man then went down to the beach and gathered a pile of sand in his hands. He made the pile round and set it down again. The young man then sat down upon it and said "I wish you would be higher." In response, the sand grew higher. After some time had passed, the young man again said "I wish you would be a little higher" and again the sand grew even higher at his request. Satisfied, he looked around and said "That is all". The story then goes on to instruct the Tsurai on Tsurewa's ceremonial uses, forever making this a sacred place.

A ROCKY REFUGE

Glancing out to sea, the off-shore rocks dotting the coastline are part of the Tsurai Village and more recently the California Coastal National Monument. Some of these rocks hold cultural or historical significance for the people of the Tsurai Village. While others provide refuge for seabirds to nest, rest, as well as a place for seals and sea lions to haul out.



Harbor seals haul out on rocks or sand to regulate their body temperature when they are not busy fishing.

As you walk this trail, you can smell the salty ocean air, hear the sea mammals around you, such as the bark of the sea lion and harbor seals, or see the spouting of the grey whales during their spring and fall migrations. If you are still and close your eyes, you might be lucky enough to feel like you're being transported back in time to when the people of Tsurai walked this trail before you.



Posted: Thursday, July 15, 2021

NOTICE AND CALL OF THE QUARTERLY MEETING OF THE **TRINIDAD TRAILS ADVISORY COMMITTEE**

The Trinidad Trails Advisory Committee will meet on
TUESDAY, JULY 20, 2021 at 5:00 PM

In accordance with Executive Order N-29-20 this meeting will be held via videoconference, and will be hosted on the **Zoom* Platform (*note the change from Webex)**. Learn more about Zoom here: <https://zoom.us/>

PUBLIC COMMENT: Public comment may be submitted via email in advance of the meeting, or accepted in an orderly process during the conference. If you do not have access to the internet and would like to provide a written statement, please deliver your comment to 409 Trinity Street, Trinidad CA, by 2:00pm, Monday, July 19, 2021. Email comments to azetter@trinidad.ca.gov Comments will be accepted during the meeting, and included in the public record.

HOW TO PARTICIPATE: The meeting link and participant code is located on the calendar page of the City Website: <https://trinidad.ca.gov/calendar> Click on the appropriate date to access all the information.

Join from PC, Mac, Linux, iOS or Android:

<https://us02web.zoom.us/j/81356112708?pwd=cjd1Z2xIOG5UT0l3NmgybXZ1K2orUT09>

Password: 364551

To phone in, dial 866-434-5269 (US Toll Free) Conference code: 915646

- I. CALL TO ORDER/ROLL CALL**
- II. APPROVAL OF MINUTES – 04-20-2020**
- III. ITEMS FROM THE FLOOR**
- IV. STAFF/COUNCIL REPORTS**
- V. COMMITTEE MEMBER REPORTS**
- VI. DISCUSSION/ACTION ITEMS**
 - 1. Discussion: Uniform Trailhead Signage: Directional, Protective, etc.
 - 2. Discussion: City Consultation with Tsurai Management Team regarding best approaches to trail maintenance/repair in the Tsurai Management Area.
 - 3. Discussion: Interpretive Trail Sign to Replace Aging Sign Currently in Place.
- VII. REQUEST FOR FUTURE ITEMS**
- VIII. ADJOURNMENT**

Angela Zetter
Trinidad Administrative Support

MINUTES OF THE REGULAR QUARTERLY MEETING OF THE TRINIDAD TRAILS
COMMITTEE
TUESDAY, APRIL 20, 2021 VIA ZOOM

I. CALL TO ORDER/ROLL CALL (5:00 pm)

Committee Members Present: Davies, Kenny, Hakenen, Lindgren, Vander Meer, Needham, Mathewson, Lindgren

Alternate Committee Members Present: West

Committee/Alternate Members Absent: Clayburn, Myers, Laos

City Staff: Zetter

II. APPROVAL OF MINUTES

October 20, 2021

Motion (Kenny/Davies) to approve the October 20, 2020 minutes as submitted. Passed (2-0). Only two standing members from the past Committee.

III. ITEMS FROM THE FLOOR

None

IV. STAFF/COUNCIL REPORTS

Council member Davies stated that the City Council agreed to begin the process of repairing the toe of the Axel Lindgren Trail, along with the steps on Trinidad Head. In response to Davies' Council report, Committee member Lindgren questioned if there was action taken at the toe of the Axel Lindgren Trail. Davies advised that the City only gave direction to move forward, but no action has been taken until there is an approved plan. Lindgren stated that the Tsurai Ancestral Society hasn't received plans from staff, and it wasn't on the Council's agenda, so TAS didn't have a chance to weigh in. Davies explained that the City Council accepted the Trails Committee's recommendations, thus giving direction to move forward. City Manager Naffah clarified for Lindgren that the Trails Committee's report was given at a City Council meeting, and they felt that the recommendations were good, thus giving direction to move forward with pursuing it.

Lindgren responded stating it was not being properly posted, and it appears the Committee is making recommendations and then directing staff. Committee member Kenny stated that is not her understanding of the function of the Committee. Davies explained that the Committee presents their recommendations to the City Council, and in this case the Council accepted. He also went on to state again for clarity, that there is currently no action to repair it, but when it becomes viable and a plan is developed, it will be discussed at the Council level. Kenny added that the Committee makes recommendations and the City Council directs staff, and in this case it is only maintenance that the Committee is talking about - not new construction.

Lindgren stated the Committee is missing the point. Davies requested clarification as to what the issue is. Lindgren explained that nothing was sent to the Tsurai Management Team, and requested they be consulted. Kenny advised that there aren't plans at this point, but when there are the City will get input from TAS. Committee member Vander Meer stated she agrees with Lindgren, further adding that they need to be consulted early on in planning.

V. COMMITTEE MEMBER REPORTS

None.

04-20-2021

Trails Committee Meeting Minutes

DRAFT

Page 1 of 4

VI. DISCUSSION/ACTION ITEMS

1. Discussion/Recommendation: Uniform Trailhead Signage.

Committee Discussion

Council member Davies stated that uniform trailhead signage was mentioned in the annual report. He explained that currently there are multiple styles of trailhead signage in use throughout the Trinidad Trail system. Thus, the Committee may want to forward a recommendation singling out one type of sign to designate trailheads within the system.

Committee member Vander Meer opined that it is okay for the City to consider its own unique look. Thus, well worth looking into working with a graphic designer. She stated she, personally, is not wild about the State Park signs, but it would tie the trail system together. She reminded the Committee that the TAS should be consulted. Committee member Kenny stated that the State Park signs are a tad overwhelming, so she'd like things to be simpler – stating she likes trail posts rather than large flat signs. Committee member Needham stated his only concern is that the signs be uniform and simple. He added that he isn't opposed to having a "No" sign. Planning Commissioner Hakenen stated signage was a topic that was discussed at the Planning Commission level. He advised that he agrees with Vander Meer, as he is a fan of signage that is unique to the town, but still gets the point across, so it would be worthwhile having a discussion with a graphic designer. He added that it appears that there are a lot of stakeholders involved. He also questioned if the signs could be color coded. Committee member Mathewson stated that the signs should be kept simple and uniform.

A discussion occurred regarding reviewing the Tsurai Management Plan's section on signage, as well as consulting the Tsurai Management Team regarding any potential recommendations.

Public Comment

Written Comment received from J. Beaupre (*Trinidad*) prior to meeting: He discussed how post signage has less surface area to be vandalized and is less expensive to install and replace when vandalized. Additionally, he stated that he would like to see "No Parking" signs along Parker Creek Drive and the adjacent field behind Murphy's Market. He noted the increase in usage of the Parker Creek Trail. He also stated in the chat, during the meeting, that signs should be simple and uniform, and the addition of a QR code may prove to be beneficial.

Committee member Discussion

City Council member Davies noted the topic of signage can be overwhelming, but noted that it seems very simple to identify trailheads, while interpretative signage can be located elsewhere. There was a general consensus that trail heads need to be identified for the public, along with consolidating the information at a central location. The Committee agreed that signage needs to be friendly for the residents and visitors alike. Committee member Vander Meer mentioned that the CCMN has discussed signage and a comprehensive outline of areas that need signage were composed. She suggested that this be reviewed by the Committee. The Committee agreed that this should be reviewed, and some signs require replacement sooner than later.

Committee member Needham stated that a subcommittee may need to be created to work on signage. Committee member Mathewson questioned if there is a budget for signage, and how many signs are needed. Davies confirmed that there is a budget of \$10k/year, and stated that he isn't

aware of an inventory of what signs need to be replaced. Planning Commissioner Hakenen stated that he isn't ready to make a decision, but agreed that an inventory of signs that need to be replaced needs to be taken. Hakenen, Mathewson, and Needham all agreed that a subcommittee might be beneficial, as there appears to be overlapping regulations, entities, stakeholders, etc. Committee member Lindgren stated she isn't sure about forming a subcommittee, but instead would prefer the Committee only meet with the Tsurai Management Team. She noted that the Committee needs to protect Tsurai land.

A discussion amongst the Committee occurred regarding replacing posts that need to be replaced in the interim, along with conducting an inventory of trail signs in town. City Council member West confirmed that the City has a number of replacement posts. Lindgren noted that there are posts currently in the study area, so she hesitant to replace signs that the TMT and Committee hasn't had a chance to review.

The Committee agreed to have a combination of staff and committee members take an inventory of the existing signs. Committee members Hakenen, Needham, and Council member Davies volunteered to take the inventory.

2. Discussion/Recommendation: Removing Street Style Barricades From Trailheads.

Committee Discussion

City Council member Davies discussed the addition of the street style barricades on Trailheads, due to COVID-19 pandemic. He noted that the County is currently in the Orange Tier, so he proposed the option of removing the barricades. He also noted that the barricades have been thrown over the cliffs, moved, and vandalized.

No other comments from Committee members.

Public Comment

None

Committee Discussion

Committee members Vander Meer, Kenny, Hakenen, Mathewson, and Council member Davies were in favor of removing the barricades. Committee member Needham advised he currently didn't have an opinion on the matter. Committee member Lindgren stated their removal may be too soon, as people are traveling, but ultimately it doesn't matter to her.

City Manager Naffah advised that Lindgren makes a good point, as lot of people are traveling. Thus, it may be beneficial for the City to continue to have minimal signage visible with information regarding distancing/masking protocols. He noted the signs could be removed by June or July 2021. The Committee agreed that removing the signs, but providing minimal signage for public outreach which has information regarding proper behavior, is adequate. Davies stated he will advise the City Council.

3. Discussion/Action: Content of Trinidad Head Trail Wayside Sign that the Trinidad Coastal Land Trust Has Agreed to Help Replace.

Committee Discussion

04-20-2021

Trails Committee Meeting Minutes

DRAFT

Page 3 of 4

Council member Davies stated that the Trinidad Head Trail Wayside Sign has been vandalized and weathered, so the TCLT has agreed to help replace it.

Committee member Vander Meer advised that the TCLT received funding to replace the sign. She provided the draft content of what would be presented on the sign, and noted that she reached out to the TAS, Yurok, and the Rancheria with the original draft, and after which there were recommendations to include cultural history, along with information on the national monument and wildlife. Vander Meer also opined that using the City of Trinidad logo should be avoided, and instead reference that the City manages the trail.

Public Comment

None

Committee Discussion

Davies stated he wants the sign to be replaced relatively soon, so he proposed that with the direction of the City Council that the Committee agrees to replace the sign. Therefore, when the final design is complete the design will be taken straight to the Council for a funding discussion. Vander Meer stated she shared the draft with the BLM interpretive sign representative, who was thrilled about it. A brief discussion regarding funding options occurred. Committee members requested a copy of the draft to share with appropriate parties.

A discussion occurred regarding the process to move the replacement of the sign forward. City Manager Naffah stated it should be agendaized in order to view the finished product by both the Committee and City Council. Davies noted the City will move forward with the final product selected at a future Council meeting.

VII. REQUEST FOR FUTURE ITEMS

- Introductory meeting with the TMT

VIII. ADJOURNMENT

Meeting adjourned at 6:37 pm. Next meeting will be on July 20, 2021 at 5:00 pm.

Submitted by:

Approved by:

Angela Zetter
Administrative Assistant

Tom Davies
Council Member



DISCUSSION AGENDA ITEM 1

NO SUPPORTING DOCUMENTATION

1. Discussion: Uniform Trailhead Signage: Directional, Protective, etc.

Ideas for discussion could include but not limited to the following: color coding of existing trails on future maps to match trailhead signage, protective signage at trailheads reminding users of culturally sensitive areas, working to remove signage that discourages use of trails within Trinidad.



DISCUSSION AGENDA ITEM 2

NO SUPPORTING DOCUMENTATION

2. Discussion: City Consultation with Tsurai Management Team regarding best approaches to trail maintenance/repair in the Tsurai Management Area.

Recommendations have been made to repair the Axel Lindgren Memorial Trail during the past two Trails Committee Annual Reports. The Trails Committee may want to discuss a recommendation that the Tsurai Management Team agendize the best way forward to begin repairs on the ALMT.



DISCUSSION AGENDA ITEM 3

SUPPORTING DOCUMENTATION BELOW AND ATTACHED

4 Pages

-
3. Discuss: Interpretive Trail Sign to Replace Aging Sign Currently in Place.

Trinidad Rancheria's Comments: Draft Content for Trinidad Head Wayside Sign



Cher-Ae Heights Indian Community of the Trinidad Rancheria



May 26, 2021

Steve Ladwig, Mayor
Members of the Trinidad City Council
409 Trinity Street
P.O. Box 390
Trinidad, CA 95570

RECEIVED

JUN 02 '21

CITY OF TRINIDAD

Re: Draft Content for Trinidad Head Wayside Sign

Dear Mayor Ladwig and Members of the City Council:

The Cher-Ae Heights Indian Community of the Trinidad Rancheria ("Trinidad Rancheria"), a federally recognized tribe, hereby submits formal comment on the City of Trinidad's ("City's") draft Content for the Trinidad Head Wayside sign (attached).

Before we address the concerns with the Draft Content, we must address our concerns that the Trails Committee has failed to consult on the proposed sign with the Trinidad Rancheria. Although the executive director of the Trinidad Coastal Land Trust did request comment from our Tribal Historic Preservation Officer (THPO), the language was developed in a private meeting between the Trails Committee and members of the Tsurai Ancestral Society. Concerns raised by the Trinidad Rancheria THPO were dismissed or interpreted as consenting to the content, which was not the case. Although the sign may not trigger requirements under Policy 69, it demonstrates the City's recognition of the Trinidad Rancheria's association with Tsurai. The City needs to consult with federally recognized tribes, not just nonprofit entities who assert a connection.

We have serious concerns regarding the proposed language and consider it biased, limiting, exclusionary and discriminatory to all indigenous peoples who consider Chuereywa and the surrounding area an important spiritual place. Characterizing Chuereywa and the surrounding sea stacks as only important to "Tsurai People", and not Yurok people¹ as a whole is inappropriate and unacceptable. Congress has recognized three federally recognized tribes as being "historically of Yurok origin": the Resighini Rancheria, the Trinidad Rancheria, the Big Lagoon Rancheria, and the Yurok Tribe.² The City and the sign should also recognize that this area, which we call Chuereywa, is also of importance to other indigenous people, who would have known of, visited

¹ Yurok people is defined as all people who descend from villages and ancestors within Yurok ancestral territory, separate from a political designation as a tribe.

² See Senate Report No. 100-564, Section 11 (Report accompanying the Hoopa-Yurok Settlement Act).



and interacted with this place. For example, there is a rock in the bay that is known to be owned by a Hupa person, won in a card game.

We are concerned that the proposed language is an attempt, by the Tsurai Ancestral Society to assert sole cultural affiliation with an area that is a Tribal Cultural Resources, as defined in the California Public Resources Code Sec. 21074, and is of significance to several California Native American Tribes. We are also concerned that the proposed sign language inaccurately implies that Ancestral Society, alone, descend from the village and care for the places in and around the village. The Trinidad Rancheria, which is a federally recognized Indian tribe located within the area depicted in the sign, is affiliated with this area, which is our ancestral homeland. The City's recognition of the Trinidad Rancheria's affiliation with this area is reflected in the City's General Plan and ordinances, and there are members of the Trinidad Rancheria, who are descended from the village of Chue-rey.

This matter is related to the City's ongoing litigation regarding the Tsurai Study Area, and the City should not approve a sign until that litigation is resolved. There is a long-standing disagreement between the Trinidad Rancheria and the Tsurai Ancestral Society regarding descendancy, and cultural and political identity and the City should not engage in identity politics or choosing sides. It is however, the City's responsibility to engage in Government to Government consultation with federally recognized Tribes. We are hereby requesting formal government to government consultation to discuss this matter and our concerns regarding the proposed language in the Draft Content for Trinidad Head Wayside sign. To schedule a formal Government to Government Consultation with the Tribal Council regarding this matter, please contact the Tribe's Chief Executive Officer, Jacque Hostler-Carmesin, at (707) 6770-211, ext 2736.

Sincerely,



Garth Sundberg, Chairman

Trinidad Rancheria



DRAFT content for Trinidad Head wayside sign
4/17/21 Layout will be by local graphic designer Joan Grytness.
 Funding from BLM, City of Trinidad, Trinidad Coastal Land Trust.
 This panel will replace the current panel that already exists. The
 base will be used in place.

- current sign

Aiy-yeyu-kwee ~~Natamer~~ 'ne rah-cheen (Hello Friend)

Welcome to the Tsurai Trail, this loop is approximately 1.4 miles long. This rocky headland is known as Tsurewa to the Tsurai People. The Tsurai people believe that a young man from Tsurai, once told his sister he would like to see a pretty hill created here. The young Tsurai man then went down to the beach and gathered a pile of sand in his hands. He made the pile round and set it down again. The young man then sat down upon it and said "I wish you would be higher." In response, the sand grew higher. After some time had passed, the young man again said "I wish you would be a little higher" and again the sand grew even higher at his request. Satisfied, he looked around and said "That is all". The story then goes on to instruct the Tsurai people on Tsurewa's ceremonial uses, forever making this a sacred place.

Captions Illustration or photo: Mau and Saul.

On the left is Mau who was a male leader and medicine man of the Tsurai Village. Saul was his life long best friend.

Graphic: overhead of Tsurai Trail map with spurs and location of gate to Trinidad Lighthouse, accessible only on the first Saturday of the month or special tours.

A Rocky Refuge

Glancing out to sea, the off-shore rocks dotting the coastline are part of the Tsurai Village and more recently the California Coastal National Monument. Some of these rocks hold cultural or historical significance for the people of the Tsurai Village. While others provide refuge for seabirds to nest, rest, as well as a place for seals and sealions to haul out.

As you walk this trail, you can smell the salty ocean air, hear the sea mammals around you, such as the bark of the sea lion and harbor seals, or see the spouting of the grey whales during their spring and fall migrations. If you are still and close your eyes, you might be lucky enough to feel like you're being transported back in time to when the people of Tsurai walked this trail before you.

Formatted: Indent: Left: 1.91", First line: 0.39"

Commented [RS1]: 'ne-too'-meyr is used to reference people that you have a family relationship or blood relationship with.

Commented [JH2R1]: Good change

Commented [RS3]: Tsurewa? Who named this and why? it would make more sense to be the Tsurewa trail.

Commented [JH4R3]: I agree

Commented [RS5]: YUROK. All yurok know this place and call it by this name.

Commented [JH6R5]: I agree

Commented [RS7]: again, this is not specific to just people from Tsurai. Also, are you going to reference Kroeber here? This story is taken directly from Yurok Myths.

Commented [JH8R7]: I think we should reference Kroeber. Can you footnote?

Commented [RS9R7]: I will need to pull the reference but yes. It would be just as good to reference the source. Whoever the informant was, as published in Kroeber...

Commented [RS10]: redundant

Commented [JH11R10]: Agree

Commented [RS12]: name ? Tsurewa Trail is a good compromise.

Commented [RS13]: People from all villages and even other tribes came to the coast and utilized resources, and found significance. AGAIN, not just people from Tsurai.

Commented [JH14R13]: How can you word this

Commented [RS15R13]: indigenous people of the region?

Commented [RS16]: Patronizing and frankly feels a little culture vulture. What would you recommend? Delete completely?

Commented [RS17R16]: yes I would strike.

Captions under illustrations or photos:

Common Murres do not make nests! Instead, they lay pear-shaped eggs designed to roll in a circle and stay in place on bare rocky ledges.

Cormorants (chpe-gaa) are experts at catching fish as deep as 150 feet under the surface.

They speedthrough the sea using their webbed feet and their wings as steering rudders.

In breeding plumage, **Pigeon Guillemots** ('o-no-peech) are black, with white patches on their wings, and weara stylish red color on their legs, feet, and mouth.

Captions will be provided to seal and sealion photos/ illustrations.

Illustrations or photos: seals (chkwe-qes) and sealions ('ech-kwoh).

Plants

As space is available, we will try to include small illustrations of common plants, dispersed throughout the layout with hand drawn labels. Examples including: sa-lal (mah-kew), huckleberry (nerh-per-yuuep'), Sitka Spruce (te-wol ne te-poh), silk tassel, cow parsnip (seykw-soh) and poison oak (wah-kwe-la'), which can be avoided by staying on the trail.)

Notes:

While the past sign had a City of Trinidad Logo, I would like to suggest that we go without logos, for a more visually pleasing sign. As an alternative, there could be a message at the end of the sign that could say:

The Tsurai Trail is maintained by the City of Trinidad. For your safety and to protect the area, please stay on designated trails.

Commented [RS18]: still looking for word in language.

Commented [JH19R18]: Need to revise or ask a question?

Commented [RS20R18]: I am asking other language people. It isn't necessary to move forward.

Commented [RS21]: Name ?

Commented [JH22R21]: Tsurewa Trail?



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

6. Discussion/Decision regarding Trails Committee recommendations regarding signage replacement and Axel Lindgren Memorial Trail Improvements.

Trinidad Trails Committee Recommendations July 20, 2021
Submitted by Tom Davies

The Trails Committee met July 20, 2021. The following recommendations to City Council are below:

- 1) Maintain and replace existing signage throughout the trail system where necessary: 4x4 trail markers, signage naming trails where existing or once existed, etc.
- 2) The Trails Committee recommends that the Tsurai Management Team discuss the manner in which to repair the Axel Lindgren Memorial. Specifically, to repair the toe of trail on beach, other step maintenance required, adding a handrail, and general maintenance in order to maintain usability of the trail. Discussion of these items should take place in a public forum in which all stakeholders are allowed to participate.